**Paoli Unified Development Ordinance**

**AMENDMENTS**

Section/Ordinance Date Comment

Section 2.E.1.2/5/19 Amended to state: Single Family and two-family development in this district typically ranges from one (1) home per acre. Multi-family development in this district is limited, but would allow up to twenty (20) units per acre on public water and public sewer with Development Plan approval. *See,* UDO at p. 7.

Section 2.E.2.a.; 8/1/17 Removed “farm” from a permitted use to a

Section 2.F.2.a.; special exception. *See,* UDO at pp. 7, 9, 14,

Section 2.H.2.a.; and and 17.

Section 2.I.2.a

Section 3.C.3. 2/5/19 Added first sentence to state: 3. Driveways. An

ILP shall be required for Residential Driveways that connect to any street owned by the Town of Paoli, Indiana. *See,* UDO at p. 34.

Section 3.D.1 8/1/17 Added paragraph e to state: A property owner

shall not have more than two vehicles in their yard for sale at any time without being labeled as an automobile sales business. *See,* UDO at p. 35.

Section 3.D.2. 8/1/17 Added paragraph l to state: A plan review shall

be required for all parking areas. *See*, UDO at p. 36.

Section 3.E.1.a.iii.1.a. 8/1/17 Changed to: no less than four (4) inches. *See,*

UDO at p. 43

Section 3.G.2.d.i. 9/17/15 Amended removed the word “fences” from the

list of agricultural accessory structures that do not require a permit. *See,* UDO at p. 75.

Section 3.G.2.e.i. 2/5/19 Add second sentence to state: Wooden picket fences shall be built with the structural side,

including all structural members, braces, bolts, washers/nuts, etc. facing the interior of the property. *See*, UDO at p. 75.

Section 3.G.2.e.i.b. 9/17/15 Added AG and MR districts to require permits.

*See,* UDO at p. 75.

2/5/19 Change six (6) feed in height to six (6) feet in height. *See,* UDO at p. 75.

Section 3.G.2.e.iv. 2/5/19 Amended to state: Swimming pools subject to a

five (5) foot high fence placement around the swimming pool area and/or a mechanical pool cover over the swimming pool. No swimming pool permitted in front yard. This shall not apply to wading pools.

Section 3.G.5.b.i.10. 8/1/17 Amended to state: 10. In areas outside of a

manufactured home park, the following standards are established to ensure that the structure is compatible with surrounding conventional construction: (a) A manufactured home shall be no more than seven (7) years of age. (b) A manufactured home shall have a width of no less than eighteen (18) feet unless replacement is permitted as set forth in paragraph (c), below. (c) A manufactured home may be replaced with a manufactured home of equal or larger size upon proper request to the zoning administrator, if, and only if: (1) the replacement manufactured home is no more than seven (7) years of age at the time of replacement, (2) the zoning administrator confirms that the replacement manufactured home meets all other requirements for manufactured homes set forth in the Unified Development Ordinance and/or any other requirements pursuant to state or federal law, and (3) the existing structure is replaced within ninety (90) days of its removal. *See,* UDO at p. 76.

Section 3.G.5.b.i.11. 8/1/17 Add paragraph 11 to state: A manufactured

home or mobile home that is vacant and/or does not have utilities for a period of one (1) year or more shall be deemed as non-compliant and must be removed within ninety (90) days after it is deemed to be noncompliant by the zoning administrator or a representative designated by the zoning administrator. *See,* UDO at p. 77.

Section 3.G.6.C.5.b.ii.2.f. 9/17/15 Amended to remove the word “relatives” and

replace with “immediate family”. *See*, UDO at

p. 77.

Section 3.G.6.C.9. 8/1/17 Add paragraph 9 to state: Animal Restrictions.

The UDO incorporates the provisions set forth in Title IX, Chapter 90 (Animals), of the Code of Ordinances of the Town of Paoli, Indiana, which may be amended from time to time by the Town Council of the Town of Paoli. *See,* UDO at p. 78.

Section 10.A. (General) 2/5/19 Amended to state: For the purpose of this

ordinance, certain terms or words used herein shall be interpreted or defined as follows. Words used in the present tense include the future tense. The term “shall” meansmandatory. For any terms or words not found, the definition in the current edition of the *Merriam-Webster’s Dictionary* shall apply. *See,* UDO at p. 150.

Section 10.A. (Agriculture) 8/1/17 Amended to state: Agriculture. Areas in which

the general use of land is devoted to one (1) or more of the following: Tillage of soil in the production of crops. Production or maintenance of hay and pasture crops. Husbandry, production, or housing of livestock, poultry, horses, swine, cows, ox, cattle, calves, donkeys, ass, burro, mules, sheep, goats, and their products, excluding only dogs and other small animals commonly kept as household pets. Growing of trees for the production of timber or timber products, erosion control and other purposes commonly found in agricultural areas. This definition does not apply to home gardens or community gardens (maintained by a non-profit organization). For animal restrictions within Town limits, please refer to Section 3.C.9 and Title IX, Chapter 90, of the Town of Paoli Code of Ordinances. *See,* UDO at pp. 150-151.

PTC Ord. No. 2015-14 9/15/15 PTC Ordinance Approving and Adopting the Rec

of the PPC re: First Amendment to the UDO and Updated Fee Schedule (PPC Ord. 2015-01)

PTC Res. No. 2016-03 7/5/16 First Amended Fee Schedule. (PPC Ord. No.

2016-01)

PTC Res. No. 2017-04 8/1/17 Resolution Approving 2nd Amendment to UDO

PTC Res. No. 2019-01 2/5/2019 Resolution Approving Third Amendment to UDO

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**Paoli Unified Development Ordinance**

**Chapter 1: Introductory Provisions**

1. **Applicability**
   1. This Ordinance shall apply to all incorporated land within the Town of Paoli and the unincorporated land within Paoli’s extra-territorial jurisdiction as shown on the Jurisdictional Area map on file in the Plan Commission Office and the Orange County Recorder’s Office.
2. **Purpose.** The purpose of this Unified Development Ordinance (UDO) is to combine the Zoning Ordinance and the Subdivision Control Ordinance into a single document in order to reduce redundancy and improve efficiency in the application of land development laws for the Town of Paoli.
   1. Subdivision Control Ordinance. The regulations established for the administration of a Subdivision Control Ordinance under IC 36-7-4 are covered specifically in this UDO by Chapters 5, 6, and 7.
   2. Zoning Ordinance. The regulations established for the administration of a Zoning Ordinance under IC-36-7-4 are covered by all other Chapters of this UDO.
3. **Intent.** The intent of this UDO is to promote the public health, safety, morals and general welfare and more specifically to:
   1. Accomplish the purposes of IC 36-7-4: Local Planning and Zoning; and further such other purposes as are stated hereinafter within specific provisions of this UDO;
   2. Guide the orderly, responsible and sustainable development and redevelopment in accordance with the Town of Paoli Comprehensive Plan and all of its components;
   3. Define the powers and duties of administrative officers and bodies as provided herein, and to establish procedures for the implementation and enforcement of this UDO;
   4. Establish reasonable standards and procedures for subdivisions, in order to further the orderly layout and use of land;
   5. Reduce traffic congestion in public streets and ensure safe, convenient, and efficient traffic circulation;
   6. Prevent the pollution of air, water, and soil;
   7. Protect the character and stability of residential, institutional, business, industrial, and natural areas;
   8. Encourage compatibility between different land uses and to protect the scale and character of existing development from the encroachment of incompatible uses;
   9. Facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public facilities;
   10. Establish corrective and punitive recourse for violations or noncompliance regarding the provisions of this UDO.
4. **Effective Date** 
   1. This ordinance shall be in full force and effect from and after its passage by the Paoli Town Council.

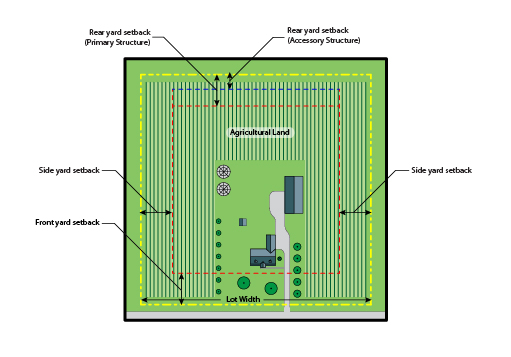
**Paoli Unified Development Ordinance**

**Chapter 2: Zoning Districts**

1. General
   1. General Provisions. The jurisdiction area is hereby classified and divided into districts.
      1. Agriculture (AG)
      2. Single-Family Residential (SF)
      3. Multi-Family Residential (MF)
      4. Mixed-Use Residential (MR)
      5. Highway Commercial (HC)
      6. General Commercial (GC)
      7. Town Square (TWN)
      8. General Industrial (GI)
      9. Light Industrial (LI)
      10. Buffer (BU)
      11. Floodplain Overlay (FP)
2. Uses Not Listed. For uses not listed, the Administrator shall attempt to determine if the requested use is similar to a listed use in the subject zoning district. If the Administrator determines that the use is not similar to a listed use it is assumed that the use is not permitted in the subject district. In case of uncertainty, the Administrator may refer the request for clarification or classification to the Board of Zoning Appeals (BZA) for consideration in accordance with the provisions of *Section 5.C.5.d. Uses Not Listed* under the Duties of the Board of Zoning Appeals.
3. Development Standards
   1. Lot Width. Lot width is measured at the building line.
   2. Minimum Front Yard Setback. Minimum front yard setback is as shown or 70 (seventy) feet from the center of the road, whichever is greater (not applicable to flag lots).
   3. Minimum Side Yard Setback. In all districts, a side yard adjoining a street which does not face the primary structure is 25 (twenty-five) feet or 70 (seventy) feet from the centerline of the road, whichever is greater. The minimum side yard setback is as shown or the width of the applicable bufferyard, whichever is greater.
   4. Minimum Rear Yard Setback. Minimum rear yard setback is as shown or the width of the applicable bufferyard, whichever is greater.
4. **Agriculture (AG)**
   1. Purpose. The purpose of this district is to maintain the rural and scenic qualities of the existing rural areas by preserving farm land and significant open lands, Non-residential development in this district requires Development Plan approval and residential development requires Subdivision approval.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Church or Temple     - Civic, Social, or Religious Organizations     - Customary Home Occupation (Accessory Use)     - Elementary & Secondary Schools     - Farm     - Farm Seasonal Worker Housing     - Hay, Grain, & Feed Stores     - Libraries & Information Centers     - Municipal or Government Buildings     - Plant Nursery     - Seasonal Hunting & Fishing Lodge     - Temporary Manufactured Home | |
| * + 1. Special Exceptions | |
| * + - Anhydrous Ammonia Storage & Distribution     - Animal Day Care Facility     - Bed & Breakfast     - Cemetery or Crematory     - Commercial Facility for Breeding Non-farm Fowl     - Compost/Digester Facility     - Construction/Demolition Site     - Day Care Center     - Dwelling – Single-family     - Fairgrounds     - Incinerator     - Kennel     - Landscape Contractor     - Mineral Extraction     - Minor Residential Subdivision     - Outdoor Recreation Facility     - Outdoor Shooting Range, public or private | * + - Police, Postal, or Fire Station     - Public Camp Ground or Recreational Vehicle Park     - Publicly Owned Park or Recreational Facility     - Resource Recovery Facility     - Roadside Produce Stand     - Sale Barn for Livestock     - Sanitary Landfill, Privately Owned     - Sanitary Landfill, Publicly Owned     - Slaughter House     - Stable, Private     - Stable, Public     - Studio Business     - Theater, Outdoor     - Transfer Station     - Veterinary Animal Hospital     - Warehouse (Grain Storage)     - Wholesale Produce Terminal |

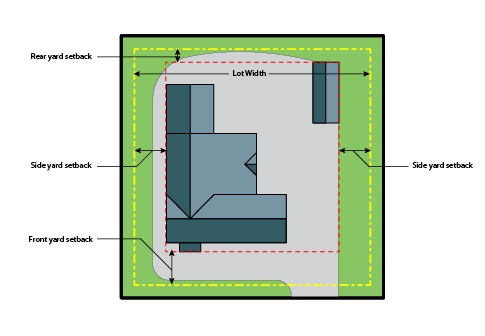
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| --- | --- | --- | --- |
| **Development Standards: Agriculture (AG)** | | Single-family Residential | Non-residential |
| **Structure Standards** | |  |  |
| Maximum height of buildings | | 35 feet | 35 feet |
| Minimum ground floor area | One-story | 1,200 sq feet |  |
| Multi-story | 900 sq feet |  |
| Minimum primary structure width | | 18 feet |  |
| Minimum distance between dwelling units | | 140 feet |  |
| **Lot Standards** | |  |  |
| Minimum lot width | | 200 feet |  |
| Minimum road frontage | | 50 feet | 45 feet |
| Minimum lot area | | 15,000 sq feet on sewer, 1 acre on septic |  |
| Minimum front yard setback | | 50 feet | 20 feet |
| Minimum side yard setback | | 40 feet | 10 feet |
| Minimum rear yard setback | Primary Structure | 40 feet | 10 feet |
| Accessory Structure | 5 feet | 10 feet |
| Maximum density (units/acre) | | 0.50 |  |
| Minimum open space | | 50% | 15% |
| Maximum lot coverage | | 50% | 70% |
| **Utility Standards** | |  |  |
| Municipal water and sewer required | | No | Yes |



1. **Single-Family Residential (SF)**
   1. Purpose. The purpose of this district is to provide areas for suburban residential development that is contiguous to the urban centers of the town. Single-Family and two-family development in this district typically ranges from one (1) home per acre. Multi-family development in this district is limited, but would allow up to twenty (20) units per acre on public water and public sewer with Development Plan approval. Single-Family residential development in this district requires Subdivision approval and all other development require Development Plan approval.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Church or Temple     - Dwelling – Single-family     - Dwelling – Two-family     - Elementary & Secondary Schools     - Libraries & Information Centers     - Major Residential Subdivision     - Mass Transit Station     - Minor Residential Subdivision     - Public Golf Course     - Temporary Manufactured Home     - Transmission Lines for Utilities | |
| * + 1. Special Exceptions | |
| * + - Bed & Breakfast     - Colleges & Universities     - Composting Facility     - Customary Home Occupation (Accessory Use)     - Dwelling – Multi-Family     - Farm     - Group Home     - Golf & Country Clubs     - Junior Colleges & Technical Institutes     - Long Term Permitted Clean Fill Disposal Site     - Long Term Permitted Clean Fill Processing Site     - Mineral Extraction     - Manufactured Home Park     - Municipal or Government Buildings | * + - Police, Postal, or Fire Station     - Public Water Wells, Water Stations, Filtration Plants     - Publicly Owned Park or Recreational Facility     - Stable, Private     - Studio Business     - Telephone Exchange, or Public Utility Station     - Temporary Clean Fill Disposal Site     - Temporary Clean Fill Land Reclamation Site     - Temporary Clean Fill Processing Site     - Wireless Communication Facility |

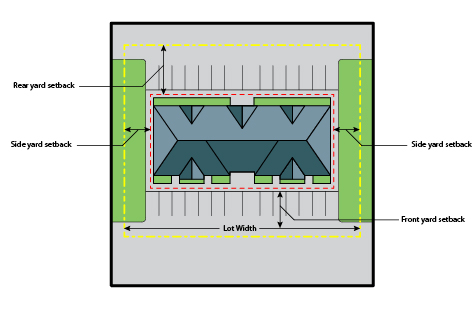
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| --- | --- | --- | --- | --- |
| **Development Standards: Single-Family Residential (SF)** | | Single-family Residential | Multi-Family Residential | Non-residential |
| **Structure Standards** | |  |  |  |
| Maximum height of buildings | | 35 feet | 35 feet | 35 feet |
| Minimum ground floor area | One-story | 1,200 sq feet | 700 sq feet |  |
| Multi-story | 900 sq feet | 400 sq feet |  |
| Minimum primary structure width | | 18 feet |  |  |
| Minimum distance between dwelling units | | 15 feet |  |  |
| **Lot Standards** | |  |  |  |
| Minimum lot width | | 100 feet |  |  |
| Minimum road frontage | | 50 feet |  | 45 feet |
| Minimum lot area | | 15,000 sq feet | 1 acre |  |
| Maximum lot area per development | |  | 3 acres |  |
| Minimum front yard setback | | 30 feet | 25 feet | 20 feet |
| Minimum side yard setback | | 10 feet | 10 feet | 10 feet |
| Minimum rear yard setback | Primary Structure | 30 feet | 20 feet | 10 feet |
| Accessory Structure | 5 feet | 20 feet | 10 feet |
| Maximum density (units/acre) | | 3 | 20.0 |  |
| Minimum open space | | 40% | 30% | 15% |
| Maximum lot coverage | | 50% | 50% | 70% |
| **Utility Standards** | |  |  |  |
| Municipal water and sewer required | | Yes | Yes | Yes |



1. **Multi-Family Residential (MF)**
   1. Purpose. The purpose of this district is for high-density multi-family development. Development in this district is typically at a density of up to twenty (20) dwelling units per acre. Development in this district requires connection to public water and public sewers and Development Plan approval. Single-family development in this district is limited, but would allow up to three (3) units per acre with public water and public sewer. Single-family residential development in this district requires Subdivision approval and all other development requires Development Plan approval.
   2. Uses.

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| --- |
| * + 1. Permitted Uses. |
| * + - Church or Temple     - Convalescent Homes     - Dwelling – Two-family     - Dwelling – Multi-family     - Elementary & Secondary Schools     - Libraries & Information Centers     - Life Care Facility     - Mass Transit Station     - Municipal or Government Buildings     - Nursing Home     - Orphanage     - Public Golf Course     - Temporary Manufactured Home     - Transmission Lines for Utilities |
| * + 1. Special Exceptions |
| * + - Bed & Breakfast     - Colleges & Universities     - Customary Home Occupation (Accessory Use)     - Day Care Center     - Dwelling – Single-Family     - Farm     - Fraternity, Sorority or Student Housing     - Golf & Country Clubs     - Group Home     - Hospital     - Junior Colleges & Technical Institutes     - Manufactured Home Park     - Police, Postal, or Fire Station     - Public Water Wells, Water Stations, Filtration Plants     - Publicly Owned Park or Recreational Facility     - Stable, Private     - Studio Business     - Telephone Exchange, or Public Utility Station     - Wireless Communication Facility |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Development Standards: Multi-Family Residential (MF)** | | Single-Family Residential | Multi-family Residential | Non-residential |
| **Structure Standards** | |  |  |  |
| Maximum height of buildings | | 35 feet | 35 feet | 35 feet |
| Minimum ground floor area | One-story | 1,200 sq feet | 700 sq feet |  |
| Multi-story | 900 sq feet | 400 sq feet |  |
| Minimum primary structure width | | 18 feet |  |  |
| Minimum distance between dwelling units | | 15 feet |  |  |
| **Lot Standards** | |  |  |  |
| Minimum lot width | | 100 feet |  |  |
| Minimum road frontage | | 50 feet |  | 45 feet |
| Minimum lot area | | 15,000 sq feet | 1 acre |  |
| Maximum lot area | |  |  |  |
| Minimum front yard setback | | 50 feet | 25 feet | 20 feet |
| Minimum side yard setback | | 10 feet | 10 feet | 10 feet |
| Minimum rear yard setback | Primary Structure | 30 feet | 20 feet | 10 feet |
| Accessory Structure | 5 feet | 20 feet | 10 feet |
| Maximum density (units/acre) | | 3 | 20.0 |  |
| Minimum open space | | 40% | 30% | 15% |
| Maximum lot coverage | | 50% | 70% | 70% |
| **Utility Standards** | |  |  |  |
| Municipal water and sewer required | | Yes | Yes | Yes |

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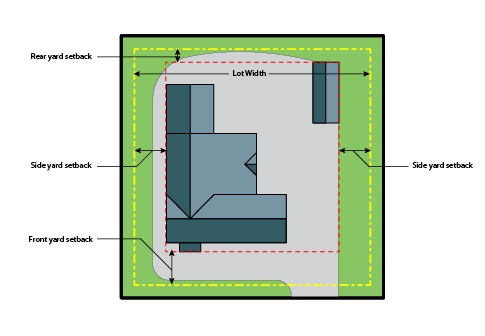
1. **Mixed-Use Residential**

1. Purpose. This district is established to allow commercial office use while protecting the residential fabric of the area. It is designed to promote the use of lots or reuse of single-family homes as commercial or retail uses that do not attract high volume of traffic such as general commercial.

2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Accounting, Auditing & Bookkeeping Service     - Apparel Shop, Shoes, Custom Tailoring     - Antique Store     - Art Gallery Art & Music Schools     - Attorney Services     - Barber Shop, Beauty Shop     - Bed & Breakfast\     - Book & Stationary Story     - Candy, Nut & Confectionary     - Church or Temple     - Counselor-At-Law     - Customary Home Occupation (Accessory Use)     - Dance Studio     - Day Care Center     - Dressmaking | * + - Dwelling – Single-Family     - Elementary & Secondary Schools     - Florist, Furriers     - Libraries & Information Centers     - Mass Transit Station     - Minor Residential Subdivision     - Municipal or Government Buildings     - Photographic Studio     - Plant Nursery     - Police, Postal, or Fire Station     - Professional Office     - Publicly Owned Park or Recreational Facility     - Real Estate Services     - Studio Business     - Transmission Lines for Utilities     - Veterinary Animal Hospital |
| * + 1. Special Exceptions | |
| * + - Dwelling – Two-Family |  |

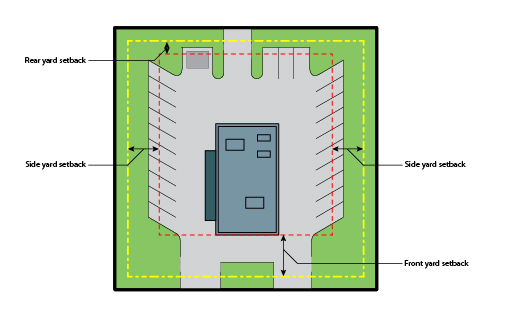
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| --- | --- | --- | --- | --- |
| **Development Standards: Mixed-Use Residential (MR)** | | Single-family Residential | Multi-Family Residential | Non-residential |
| **Structure Standards** | |  |  |  |
| Maximum height of buildings | | 35 feet | 35 feet | 35 feet |
| Minimum ground floor area | One-story | 1,200 sq feet | 700 sq feet |  |
| Multi-story | 900 sq feet | 400 sq feet |  |
| Minimum primary structure width | | 18 feet |  |  |
| Minimum distance between dwelling units | |  |  |  |
| **Lot Standards** | |  |  |  |
| Minimum lot width | | 100 feet |  |  |
| Minimum road frontage | | 50 feet |  | 45 feet |
| Minimum lot area | | 15,000 sq feet | 1 acre |  |
| Maximum lot area | |  | 3 acres |  |
| Minimum front yard setback | | 30 feet | 25 feet | 20 feet |
| Minimum side yard setback | | 10 feet | 10 feet | 10 feet |
| Minimum rear yard setback | Primary Structure | 30 feet | 20 feet | 10 feet |
| Accessory Structure | 5 feet | 20 feet | 10 feet |
| Maximum density (units/acre) | | 3 | 20.0 |  |
| Minimum open space | | 40% | 30% | 15% |
| Maximum lot coverage | | 50% | 50% | 70% |
| **Utility Standards** | |  |  |  |
| Municipal water and sewer required | | Yes | Yes | Yes |



1. **Highway Commercial (HC)**
   1. Purpose. This district is established to include areas adjacent to highway and major roadways and is designed to serve the needs of the public traveling on these thoroughfares. Development in this district requires connection to public water and public sewers and Development Plan approval.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Accounting, Auditing, & Bookkeeping Service     - Advertising Agencies     - Agricultural Credit Institutions     - Animal Day Care Facility     - Antique Store     - Apparel Shop, Shoes, Custom Tailoring     - Art & Music Schools     - Attorney Services     - Auto License Bureaus     - Automobile or Motorcycle Sales     - Automobile Parts Supply     - Automobile Repair, Service Station     - Bait Sales     - Banks & Branch Banks     - Barber Shop, Beauty Shop     - Bed & Breakfast     - Bicycle Shops     - Billiard & Pool Establishments     - Blood Banks     - Blueprinting & Photocopying     - Boat Sales     - Bond & Mortgage Company     - Book & Stationary Store     - Bowling Alleys     - Business Associations     - Cafeteria, Restaurant     - Camera & Photographic Supply     - Candy, Nut & Confectionary     - Carry Out Restaurant     - Charitable Institutions     - China, Glassware, Metalware     - Church or Temple     - Civic, Social, or Religious Organizations     - Clothing Rental     - Coin Operated Laundry & Dry-cleaning     - Collection Agencies     - Commercial Testing Laboratories     - Counselor-At-Law     - Customary Home Occupation (Accessory Use)     - Dance Halls, Studios & Schools     - Department Store     - Detective Agencies & Protective Services     - Diaper Service     - Dinner Theater     - Disinfecting & Exterminating Services     - Drapery, Curtain & Upholstery     - Dressmaking     - Drug Store     - Electrical Repair Shop     - Electrical Supply Store     - Elementary & Secondary Schools     - Engineering & Architectural Service     - Florists, Furriers     - Food Processing     - Fraternity, Sorority or Student Housing | * + - Fruits & Vegetables     - Fuel Dealers     - Gift, Novelty & Souvenir Shops     - Grocery, Bakery, Meat & Fish     - Group Residential Facility     - Hardware or Variety Store     - Hay, Grain, & Feed Stores     - Hobby, Toy & Game Shops     - Household Appliances, Furniture     - Indoor Recreation Facility     - Insurance Agents, Brokers & Service     - Jewelry Store     - Liquor Store     - Lodge or Private Club     - Lumber & Building Materials Dealer     - Manufactured Home, Travel Trailer, Camper Sales & Service     - Medical & Dental Laboratories     - Medical Office     - Monument Sales     - Mortuary     - Motion Picture Theater     - Municipal or Government Buildings     - Museum & Art Gallery     - Music & Video Store     - News Dealers     - Newspaper Publishing     - Night Club     - Nursing Home     - Paint, Glass & Wallpaper Store     - Parking Garage     - Passenger Car Rental     - Pet Shops     - Photographic Studio     - Plant Nursery     - Plumbing, Heating & Air Conditioning Dealer     - Private Employment Agencies     - Professional Office     - Real Estate Service     - Reducing & Health Salons     - Reupholster & Furniture Repair     - Shoe Repair     - Skating     - Sporting Goods     - Stenographic Service     - Stock Brokers & Dealers     - Studio Business     - Tailoring & Pressing Shops     - Tavern     - Temporary Help Supply Services     - Temporary Manufactured Home     - Tire, Battery & Accessory Dealers     - Tobacco Stores     - Trade or Business Schools     - Truck Sales, Rental, Leasing, Repair     - Watch, Clock & Jewelry Repair     - Wholesale Business |
| * + 1. Special Exceptions | |
| * + - Auction Sales Yard (Excluding Livestock)     - Automatic Car Wash     - Automobile Body Shop & Painting     - Clinic     - Day Care Center     - Drive-In Restaurant     - Farm     - Golf Driving Range & Miniature Golf Course     - Hotel or Motel     - Kennel     - Linen Supply     - Parking Lot | * + - Penal or Correctional Institutions     - Police, Postal, or Fire Station     - Publicly Owned Park or Recreational Facility     - Shopping Center     - Stable, Public     - Theater, Outdoor     - Truck Service Center     - Veterinary Animal Hospital     - Warehouse (General)     - Warehouse (Grain Storage)     - Wholesale Produce Terminal |

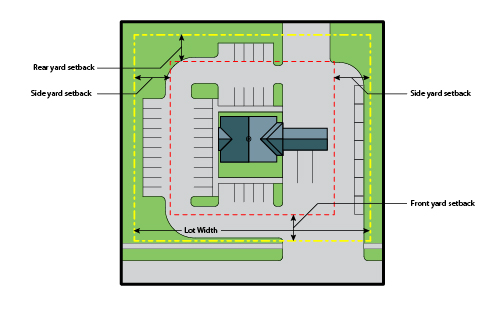
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| **Development Standards: Highway Commercial (HC)** | | Non-residential |
| **Structure Standards** | |  |
| Maximum height of buildings | | 35 feet |
| **Lot Standards** | |  |
| Minimum lot width | |  |
| Minimum road frontage | | 45 feet |
| Minimum lot area | |  |
| Minimum front yard setback | | 20 feet |
| Minimum side yard setback | | 10 feet |
| Minimum rear yard setback | Primary Structure | 10 feet |
| Accessory Structure | 10 feet |
| Minimum open space | | 15% |
| Maximum lot coverage | | 70% |
| **Utility Standards** | |  |
| Municipal water and sewer required | | Yes |



1. **General Commercial (GC)**
   1. Purpose. The purpose of this district is to allow for most types of retail, commercial, service, entertainment, and dining establishments, Development in this district requires connection to public water and public sewer ad well as Development Plan approval.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Accounting, Auditing, & Bookkeeping Service     - Advertising Agencies     - Agricultural Credit Institutions     - Animal Day Care Facility     - Antique Store     - Apparel Shop, Shoes, Custom Tailoring     - Art & Music Schools     - Attorney Services     - Auto License Bureaus     - Automobile or Motorcycle Sales     - Automobile Parts Supply     - Automobile Repair, Service Station     - Bait Sales     - Banks & Branch Banks     - Barber Shop, Beauty Shop     - Bed & Breakfast     - Bicycle Shops     - Billiard & Pool Establishments     - Blood Banks     - Blueprinting & Photocopying     - Boat Sales     - Bond & Mortgage Company     - Book & Stationary Store     - Bowling Alleys     - Business Associations     - Cafeteria, Restaurant     - Camera & Photographic Supply     - Candy, Nut & Confectionary     - Carry Out Restaurant     - Cemetery or Crematory     - Charitable Institutions     - China, Glassware, Metalware     - Church or Temple     - Civic, Social, or Religious Organizations     - Clothing Rental     - Coin Operated Laundry & Dry-cleaning     - Collection Agencies     - Commercial Testing Laboratories     - Counselor-At-Law     - Customary Home Occupation (Accessory Use)     - Dance Halls, Studios & Schools     - Department Store     - Detective Agencies & Protective Services     - Diaper Service     - Dinner Theater     - Disinfecting & Exterminating Services     - Drapery, Curtain & Upholstery     - Dressmaking     - Drug Store     - Electrical Repair Shop     - Electrical Supply Store     - Elementary & Secondary Schools     - Engineering & Architectural Service     - Florists, Furriers     - Food Processing     - Fraternity, Sorority or Student Housing | * + - Fruits & Vegetables     - Fuel Dealers     - Gift, Novelty & Souvenir Shops     - Grocery, Bakery, Meat & Fish     - Group Residential Facility     - Hardware or Variety Store     - Hay, Grain, & Feed Stores     - Hobby, Toy & Game Shops     - Household Appliances, Furniture     - Indoor Recreation Facility     - Insurance Agents, Brokers & Service     - Jewelry Store     - Liquor Store     - Lodge or Private Club     - Lumber & Building Materials Dealer     - Manufactured Home, Travel Trailer, Camper Sales & Service     - Medical & Dental Laboratories     - Medical Office     - Minor Residential Subdivision     - Monument Sales     - Mortuary     - Motion Picture Theater     - Municipal or Government Buildings     - Museum & Art Gallery     - Music & Video Store     - News Dealers     - Newspaper Publishing     - Night Club     - Nursing Home     - Paint, Glass & Wallpaper Store     - Parking Garage     - Passenger Car Rental     - Pet Shops     - Photographic Studio     - Plant Nursery     - Plumbing, Heating & Air Conditioning Dealer     - Private Employment Agencies     - Professional Office     - Real Estate Service     - Reducing & Health Salons     - Reupholster & Furniture Repair     - Shoe Repair     - Skating     - Sporting Goods     - Stenographic Service     - Stock Brokers & Dealers     - Studio Business     - Tailoring & Pressing Shops     - Tavern     - Temporary Help Supply Services     - Temporary Manufactured Home     - Tire, Battery & Accessory Dealers     - Tobacco Stores     - Trade or Business Schools     - Truck Sales, Rental, Leasing, Repair     - Watch, Clock & Jewelry Repair     - Wholesale Business |
| * + 1. Special Exceptions | |
| * + - Bed & Breakfast     - Colleges & Universities     - Customary Home Occupation (Accessory Use)     - Day Care Center     - Farm     - Fraternity, Sorority or Student Housing     - Golf & Country Clubs     - Hospital     - Junior Colleges & Technical Institutes     - Police, Postal, or Fire Station     - Public Water Wells, Water Stations, Filtration Plants     - Publicly Owned Park or Recreational Facility     - Stable, Private     - Studio Business     - Telephone Exchange, or Public Utility Station     - Wireless Communication Facility | |

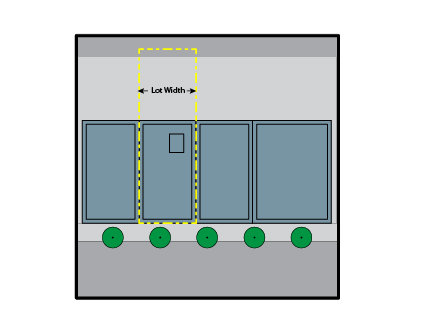
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| **Development Standards: General Commercial (GC)** | | Non-residential |
| **Structure Standards** | |  |
| Maximum height of buildings | | 35 feet |
| **Lot Standards** | |  |
| Minimum lot width | |  |
| Minimum road frontage | | 45 feet |
| Minimum lot area | |  |
| Minimum front yard setback | | 20 feet |
| Minimum side yard setback | | 10 feet |
| Minimum rear yard setback | Primary Structure | 10 feet |
| Accessory Structure | 10 feet |
| Minimum open space | | 15% |
| Maximum lot coverage | | 70% |
| **Utility Standards** | |  |
| Municipal water and sewer required | | Yes |



1. **Town Square (TWN)**
   1. Purpose. The purpose of this district is to allow commercial and residential development in the town square area of Paoli. This district would place convenience and necessity facilities close to consumers in limited areas close to residences. All development in this district requires connection to public water and public sewer. Single-Family development in this district may require Subdivision approval while all other development requires Development Plan approval.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Accounting, Auditing, & Bookkeeping Service     - Advertising Agencies     - Agricultural Credit Institutions     - Antique Store     - Apparel Shop, Shoes, Custom Tailoring     - Art & Music Schools     - Attorney Services     - Auto License Bureaus     - Bait Sales     - Banks & Branch Banks     - Barber Shop, Beauty Shop     - Bed & Breakfast     - Bicycle Shops     - Billiard & Pool Establishments     - Blood Banks     - Blueprinting & Photocopying     - Bond & Mortgage Company     - Book & Stationary Store     - Business Associations     - Cafeteria, Restaurant     - Camera & Photographic Supply     - Candy, Nut & Confectionary     - Carry Out Restaurant     - Charitable Institutions     - China, Glassware, Metalware     - Church or Temple     - Civic, Social, or Religious Organizations     - Clothing Rental     - Coin Operated Laundry & Dry-cleaning     - Collection Agencies     - Counselor-At-Law     - Customary Home Occupation (Accessory Use)     - Dance Halls, Studios & Schools     - Department Store Department Store     - Detective Agencies & Protective Services     - Dinner Theater     - Disinfecting & Exterminating Services     - Drapery, Curtain & Upholstery     - Dressmaking     - Drug Store     - Dwelling - Multi-Family     - Dwelling - Single-family     - Electrical Repair Shop     - Electrical Supply Store     - Elementary & Secondary Schools     - Engineering & Architectural Service     - Floor Coverings | * + - Florists, Furriers     - Fruits & Vegetables     - Gift, Novelty & Souvenir Shops     - Grocery, Bakery, Meat & Fish     - Group Residential Facility     - Hardware or Variety Store     - Hobby, Toy & Game Shops     - Hotel or Motel     - Household Appliances, Furniture     - Insurance Agents, Brokers & Service     - Jewelry Store     - Libraries & Information Centers     - Liquor Store     - Lodge or Private Club     - Medical & Dental Laboratories     - Medical Office     - Minor Residential Subdivision     - Mortuary     - Motion Picture Theater     - Municipal or Government Buildings     - Museum & Art Gallery     - Music & Video Stores     - News Dealers     - Newspaper Publishing     - Night Club     - Paint, Glass & Wallpaper Store     - Parking Garage     - Pet Shops     - Photographic Studio     - Plumbing, Heating & Air Conditioning Dealer     - Police, Postal, or Fire Station     - Private Employment Agencies     - Professional Office     - Publicly Owned Park or Recreational Facility     - Real Estate Service     - Reducing & Health Salons     - Reupholster & Furniture Repair     - Shoe Repair     - Sporting Goods     - Stock Brokers & Dealers     - Studio Business     - Tailoring & Pressing Shops     - Tavern     - Temporary Help Supply Services     - Tire, Battery & Accessory Dealers     - Tobacco Stores     - Watch, Clock & Jewelry Repair |
| * + 1. Special Exceptions | |
| * + - Clinic     - Day Care Center     - Diaper Service     - Drive-thru Restaurant     - Shopping Center     - Trade or Business School     - Veterinary Animal Hospital | |

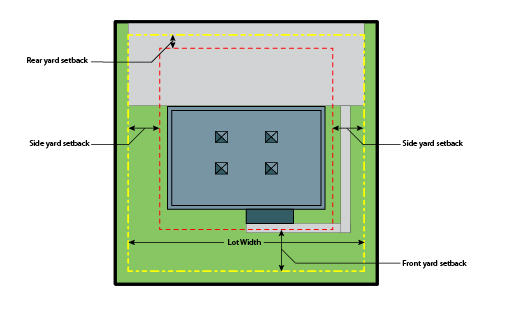
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| --- | --- | --- | --- | --- |
| **Development Standards: Town Square (TWN)** | | Single-family Residential | Multi-family Residential | Non-residential |
| **Structure Standards** | |  |  |  |
| Maximum height of buildings | | 35 feet | 35 feet | 35 feet |
| Minimum ground floor area | One-story | 900 sq feet | 500 sq feet |  |
| Multi-story | 750 sq feet | 350 sq feet |  |
| Minimum primary structure width | | 18 feet |  |  |
| Minimum distance between dwelling units | |  |  |  |
| **Lot Standards** | |  |  |  |
| Minimum lot width | | 60 feet |  |  |
| Minimum road frontage | | 50 feet |  |  |
| Minimum lot area | | 7,500 feet |  |  |
| Minimum front yard setback | | 25 feet | 25 feet |  |
| Minimum side yard setback | | 10 feet | 10 feet | 10 feet |
| Minimum rear yard setback | Primary Structure | 20 feet | 20 feet | 10 feet |
| Accessory Structure | 5 feet | 20 feet | 10 feet |
| Maximum density (units/acre) | | 4.25 | 20.0 |  |
| Minimum open space | | 30% | 15% | 15% |
| Maximum lot coverage | | 70% | 70% | 70% |
| **Utility Standards** | |  |  |  |
| Municipal water and sewer required | | Yes | Yes | Yes |



1. **General Industrial (GI)**
   1. Purpose. The purpose of this district is to allow all types of industrial uses requiring both enclosed and unenclosed spaces for storage, manufacturing, and fabricating. Development in this district requires connection to public water and public sewer and Development Plan approval is required.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Accounting, Auditing, & Bookkeeping Service     - Anhydrous Ammonia Storage & Distribution     - Anhydrous Ammonia Storage & Distribution     - Animal Day Care Facility     - Auction Sales Yard (Excluding Livestock)     - Automatic Car Wash     - Automobile Body Shop & Painting     - Automobile or Motorcycle Sales     - Automobile Repair, Service Station     - Business Associations     - Cemetery or Crematory     - Charitable Institutions     - Civic, Social, or Religious Organizations     - Commercial Facility for Breeding Non-farm Fowl     - Commercial Testing Laboratories     - Composting Facility     - Contractors Storage     - Customary Home Occupation (Accessory Use)     - Electrical Repair Shop     - Electrical Supply Store     - Engineering & Architectural Service     - Fairgrounds     - Farm     - Farm Implements & Equipment Sales     - Farm Product Processing     - Farm Seasonal Worker Housing     - Food Processing     - Fuel Dealers     - Golf & Country Clubs     - Golf Driving Range & Miniature Golf Course     - Hay, Grain, & Feed Stores     - Indoor Recreation Facility     - Industry, General     - Junk Yard     - Light Industrial Park     - Light Industry | * + - Linen Supply     - Liquefied Petroleum Gas, Bottled Gas Dealers     - Lumber & Building Materials Dealer     - Manufactured Home, Travel Trailer, Camper Sales & Service     - Municipal or Government Buildings     - Open Material Storage     - Outdoor Shooting Range, public or private     - Parking Garage     - Parking Lot     - Passenger Car Rental     - Petroleum Tank Farm     - Plant Nursery     - Plumbing, Heating & Air Conditioning Dealer     - Police, Postal, or Fire Station     - Public Golf Course     - Publicly Owned Park or Recreational Facility     - Race Track     - Reupholster & Furniture Repair     - Roadside Produce Stand     - Sale Barn for Livestock     - Sanitary Landfill, Publicly Owned     - Slaughter House     - Stable, Private     - Stable, Public     - Stadium, Coliseum     - Storage & Dismantling of Disabled Vehicles     - Theater, Outdoor     - Transfer Station     - Truck Freight Terminal     - Truck Sales, Rental, Leasing, Repair     - Truck Service Center     - Veterinary Animal Hospital     - Warehouse (General)     - Warehouse (Grain Storage)     - Wholesale Business     - Wholesale Produce Terminal |
| * + 1. Special Exceptions | |
| * + - Sexually Oriented Business     - Compost/Digester Facility     - Construction/Demolition Site     - Incinerator     - Kennel     - Landscape Contractor     - Manufacturing, Use, or Storage of Explosives     - Mineral Extraction     - Outdoor Recreation Facility     - Penal or Correctional Institutions     - Public Camp Ground or Recreational Vehicle Park     - Sanitary Landfill, Privately Owned | |

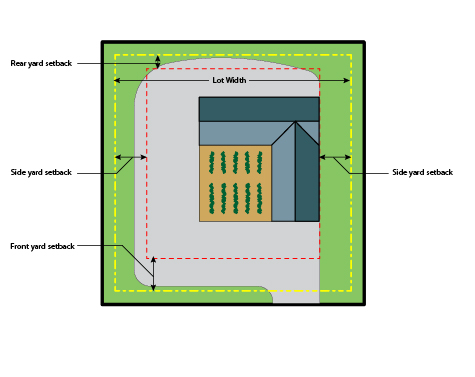
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| --- | --- | --- |
| **Development Standards: General Industrial (GI)** | | Non-residential |
| **Structure Standards** | |  |
| Maximum height of buildings | | 35 feet |
| **Lot Standards** | |  |
| Minimum lot width | |  |
| Minimum road frontage | | 45 |
| Minimum front yard setback | | 20 |
| Minimum side yard setback | | 10 |
| Minimum rear yard setback | Primary Structure | 10 |
| Accessory Structure | 10 |
| Minimum open space | | 15% |
| Maximum lot coverage | |  |
| **Utility Standards** | |  |
| Municipal water and sewer required | | Yes |



1. **Light Industrial (LI)**
   1. Purpose. The purpose of this district is to allow light industrial uses in which all operations, including storage of materials would be confined within a building, and would include warehousing operations. Development in this district requires connection to public water and public sewer as well as Develop Plant approval.
   2. Uses.

|  |  |
| --- | --- |
| * + 1. Permitted Uses. | |
| * + - Accounting, Auditing, & Bookkeeping Service     - Anhydrous Ammonia Storage & Distribution     - Anhydrous Ammonia Storage & Distribution     - Animal Day Care Facility     - Auction Sales Yard (Excluding Livestock)     - Automatic Car Wash     - Automobile or Motorcycle Sales     - Automobile Parts Supply     - Automobile Repair, Service Station     - Banks & Branch Banks     - Blueprinting & Photocopying     - Bowling Alleys     - Business Associations     - Cemetery or Crematory     - Charitable Institutions     - Civic, Social, or Religious Organizations     - Commercial Facility for Breeding Non-farm Fowl     - Commercial Testing Laboratories     - Composting Facility     - Contractors Storage     - Customary Home Occupation (Accessory Use)     - Day Care Center     - Department Store     - Diaper Service     - Electrical Repair Shop     - Electrical Supply Store     - Engineering & Architectural Service     - Fairgrounds     - Farm     - Farm & Garden Supply     - Farm Implements & Equipment Sales     - Farm Product Processing     - Farm Seasonal Worker Housing     - Food Processing     - Fuel Dealers     - Golf & Country Clubs     - Golf Driving Range & Miniature Golf Course     - Hardware or Variety Stores     - Hay, Grain, & Feed Stores     - Indoor Recreation Facility     - Industry, General     - Junk Yard     - Life Care Facility     - Light Industrial Park     - Light Industry | * + - Linen Supply     - Liquefied Petroleum Gas, Bottled Gas Dealers     - Lodge or Private Club     - Manufactured Home, Travel Trailer, Camper Sales & Service     - Monument Sales     - Municipal or Government Buildings     - Newspaper Publishing     - Open Material Storage     - Outdoor Shooting Range, public or private     - Paint, Glass & Wallpaper Store     - Parking Garage     - Parking Lot     - Passenger Car Rental     - Petroleum Tank Farm     - Plant Nursery     - Plumbing, Heating & Air Conditioning Dealer     - Police, Postal, or Fire Station     - Professional Office     - Public Golf Course     - Publicly Owned Park or Recreational Facility     - Race Track     - Real Estate Service     - Reducing & Health Salons     - Reupholster & Furniture Repair     - Roadside Produce Stand     - Sale Barn for Livestock     - Sanitary Landfill, Publicly Owned     - Skating     - Slaughter House     - Stable, Private     - Stable, Public     - Stadium, Coliseum     - Tailoring & Pressing Shops     - Temporary Manufactured Home     - Theater, Outdoor     - Tire, Battery & Accessory Dealers     - Trade or Business School     - Transfer Station     - Truck Freight Terminal     - Truck Sales, Rental, Leasing, Repair     - Truck Service Center     - Veterinary Animal Hospital     - Warehouse (General)     - Warehouse (Grain Storage)     - Wholesale Business     - Wholesale Produce Terminal |
| * + 1. Special Exceptions | |
| * + - Compost/Digester Facility     - Construction/Demolition Site     - Incinerator     - Kennel     - Landscape Contractor     - Manufacturing, Use, or Storage of Explosives     - Mineral Extraction     - Outdoor Recreation Facility     - Penal or Correctional Institutions     - Sanitary Landfill, Privately Owned | |

|  |  |  |
| --- | --- | --- |
| **Development Standards: Light Industrial (LI)** | | Non-residential |
| **Structure Standards** | |  |
| Maximum height of buildings | | 35 feet |
| **Lot Standards** | |  |
| Minimum lot width | |  |
| Minimum road frontage | | 45 |
| Minimum front yard setback | | 20 |
| Minimum side yard setback | | 10 |
| Minimum rear yard setback | Primary Structure | 10 |
| Accessory Structure | 10 |
| Minimum open space | | 15% |
| Maximum lot coverage | |  |
| **Utility Standards** | |  |
| Municipal water and sewer required | | Yes |



1. **Buffer (BU)**
   1. Purpose. This district is established as the one-mile, extra-territorials planning jurisdiction for the Town of Paoli in accordance with Indiana Code (IC 36-7-4-205). The purpose of this district is to allow a wide range of development opportunities contiguous to the town. Single-family development requires Subdivision approval while all other development requires Development Plan approval.
   2. Uses.

|  |
| --- |
| * + 1. Prohibited Uses. |
| * + - Confined Feeding     - Sanitary Landfill, Privately Owned     - Sanitary Landfill, Publicly Owned     - Hazardous Waste Facilities |
| * + 1. Special Exceptions |
| * + - Reserved |

|  |  |  |  |
| --- | --- | --- | --- |
| **Development Standards: Buffer (BUFF)** | | Single-family Residential | Non-residential |
| **Structure Standards** | |  |  |
| Maximum height of buildings | | 35 feet | 35 feet |
| Minimum ground floor area | One-story | 1,200 sq feet |  |
| Multi-story | 900 sq feet |  |
| Minimum primary structure width | | 18 feet |  |
| Minimum distance between dwelling units | | 140 feet |  |
| **Lot Standards** | |  |  |
| Minimum lot width | | 200 feet |  |
| Minimum road frontage | | 50 feet | 45 feet |
| Minimum lot area | | 15,000 feet on sewer, 1 acre on septic |  |
| Minimum front yard setback | | 50 feet | 20 feet |
| Minimum side yard setback | | 40 feet | 10 feet |
| Minimum rear yard setback | Primary Structure | 40 feet | 10 feet |
| Accessory Structure | 5 feet | 10 feet |
| Maximum density (units/acre) | | 0.50 |  |
| Minimum open space | | 50% | 15% |
| Maximum lot coverage | | 50% |  |
| **Utility Standards** | |  |  |
| Municipal water and sewer required | | No | No |

1. **Floodplain (FP) Overlay District**
   1. Purpose. The Floodplain Overlay District is applied as a supplemental regulation on existing zoned areas that fall within the flood hazard areas, including planned developments (PUDs) if enacted.  The Floodplain Overlay District is superimposed on the existing zoning districts and the restrictions and requirements are in addition to those of the underlying zone.  All land use review processes that apply to the underlying zoning district shall remain in full force and effect.  In the case of overlapping or conflicting requirements, the most restrictive provision shall apply. Reference the Flood Hazard Ordinance #2014-14 for additional requirements for development in the floodplain.
   2. Uses.

|  |
| --- |
| * + 1. Permitted Uses. |
| * + - Farm     - Outdoor Recreation Facility     - Publicly Owned Park or Recreational Facility     - Public Camp Ground or Recreational Vehicle Park     - Public Golf Course     - Outdoor Shooting Range, public or private |
| * + 1. Special Exceptions |
| * + - None |

* 1. Development Standards. The development standards of the underlying zoning district shall apply.

**Paoli Unified Development Ordinance**

**Chapter 3: Site Standards**

1. **Landscaping & Bufferyards**
   1. Landscaping & Bufferyards. The bufferyard is a unit of yard together with the planting thereon. Both the amount of land and the type and amount of planting specified for each bufferyard requirement are designed to minimize nuisances between adjacent land uses. The planting units required of bufferyards have been calculated to ensure that they do, in fact, function as “buffers”. Bufferyards shall be required to separate land uses from each other in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly building or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, or danger from fires or explosions. Proposed uses in any district that are specifically agricultural, as defined under “agriculture” in Section 10. General Definitions are exempt from providing bufferyards unless otherwise specified.
   2. Location, Maintenance, Planting Size, and Landscape Plan.
      1. Bufferyards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line.
      2. At the discretion of the Administrator, the width of the bufferyard may include all or a portion of rights-of-way, drainage easements, and utility easements, however plantings shall not be located on any portion of these areas. With this discretion, the Administrator must ensure that the effectiveness of the required bufferyard shall not be compromised.
      3. All plant material that dies must be replaced within six (6) months so as to maintain the approved bufferyard and landscape plan.
      4. Deciduous trees are to be a minimum of two (2) inches in diameter or eight (8) feet tall at the time of planting. Evergreen trees shall be a minimum of five (5) feet tall at the time of planting.
      5. Any existing plant material which otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.
      6. The following plant material substitutions shall satisfy the requirements of this section.
         1. In all bufferyards evergreen, canopy or evergreen understory trees may be substituted for deciduous canopy trees without limitation.
         2. In all bufferyards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation. A landscape plan shall be submitted with each applicable application. Such plan shall be a site plan drawn to scale showing the location, type, size, and category of each plant unit used.
      7. When it has been proven that the required plantings of a bufferyard cannot be installed because of existing easements or other unavoidable site constraints, the Administrator shall have the discretion to allow the substitution of alternative vegetation, provided that the total number of plantings does not decrease.
   3. Determination of Bufferyard Requirements.
      1. To determine the type of bufferyard required between two (2) adjacent parcels, the following procedure shall be followed.
         1. Identify the zoning district of the proposed land use by referring to the horizontal column of the Table 1, Bufferyard Requirements.
         2. Identify the zoning district of the adjacent parcels by referring to the vertical column of the Table 1, Bufferyard Requirements.
         3. Determine the bufferyard required on each boundary of the subject parcel by referring to the Table 1, Bufferyard Requirements and then to the options for that bufferyard.
      2. The required bufferyards constitute the total bufferyard required between the adjacent land uses. Any of the alternatives for the required bufferyard shall satisfy the requirement of buffering between adjacent land uses.
   4. Bufferyard Requirements.
      1. Bufferyard requirements are stated in terms of the width of the bufferyard and the number of plant units required per one hundred (100) linear feet of bufferyard. The requirements of a bufferyard may be satisfied by any of the alternatives illustrated. The quantity and type of plant materials required by each bufferyard are specific and identified in the Appendix. The specifications of each bufferyard and its alternatives are illustrated in this section. Each alternative depicts the total bufferyard located between two (2) parcels.
      2. Whenever a wall, fence, or berm is required within a bufferyard, these are shown as “Fence/Berm” in Table 2 Bufferyard Planting Requirements. The respective specifications are shown in Table 3, Fence and Berm Standards. Whenever a wall is required in addition to a berm, the wall shall be located between the berm and the higher intensity use, in order to provide maximum sound absorption.
      3. If the development on the adjoining use is existing, planned, or deed-restricted for solar access, understory trees may be substituted for canopy trees where canopy trees would destroy solar access.
      4. If the development borders a jurisdictional boundary outside that of this ordinance, the bufferyard used shall be based on the district most comparable to that of this ordinance, at the discretion and approval of the Administrator.
      5. The exact placement of required plants and structures shall be the decision of each user except that the following requirements shall be satisfied.
         1. Evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival.
         2. Berms with masonry walls required of bufferyard J and K options are intended to buffer more significant nuisances from adjacent uses and, additionally, to break up and absorb noise, which is achieved by the varied heights of plant materials between the wall and the noise source.
         3. When berms with walls are required, the masonry wall shall be closer than the berm to the higher intensity use.
         4. Within a bufferyard, a planting area at least five (5) feet wide containing fifteen percent (15%) of the total plant requirements (based on the multiplier = 1) shall be located between the masonry wall and the higher intensity class use. These plants shall be chosen to provide species and sizes to reduce noise in conjunction with the wall.
      6. All bufferyard areas shall be live vegetation and seeded with lawn or prairie grasses unless such ground cover is already established.
      7. Bufferyards may contain natural water amenities or areas established for drainage provided that planting requirements are still satisfied.
      8. Bufferyards may overlap with drainage and utility easements, but required plantings must not be placed within the drainage and utility easements themselves.
   5. Use of Bufferyards. A bufferyard may be used for passive recreation. It may contain pedestrian, bike, or equestrian trails, provided that no plant material is eliminated, the total width of the bufferyard is not reduced, and all other regulations of the ordinance are met. In no event, however, shall permanent structures be permitted in bufferyards including ice-skating rinks, stables, swimming pools, and tennis courts.
   6. Ownership of Bufferyards. Bufferyards may remain in the ownership of the original developer of a land use, or they may be subjected to deed restrictions and subsequently be freely conveyed, or they may be transferred to any consenting grantees, such as adjoining landowners, a park or forest preserve, or an open space or conservation group, provided that any such conveyance adequately guarantees the protection of the bufferyards for the purposes of this ordinance.
   7. Excess Bufferyard. Where the bufferyard required between a land use and vacant land turns out to be greater than that bufferyard which is required between the first use and the subsequently developed use, the following uses apply:
      1. The subsequent use may provide one half (1/2) of the bufferyard required. The existing use may expand its use into the original bufferyard area, provided that the resulting total bufferyard between the two (2) uses meets the bufferyard requirements.
      2. The existing use may enter into agreements with abutting landowners to use its existing bufferyard to provide some or all of the required bufferyard of both land uses. The total bufferyard shall equal the requirements. Provided that such an agreement can be negotiated, the initial use may provide the second use some or all of its required bufferyard and/or extra land on which it might develop. The existing use may reduce its excess bufferyard by transferring part or the entire excess bufferyard to the adjoining landowner to serve as its buffer. Any remaining excess bufferyard area may be used by the existing use for expansion of that use or for transfer by it to the adjoining landowner to expand that adjoining use.
   8. Bufferyard Between Like Uses. Where a bufferyard is required in a zoning district where the proposed use is similar to existing, surrounding uses in terms of land use, size, density, and lot size, the bufferyard may be waived at the discretion of the Administrator. Such waiver (or denial of a waiver) by the Administrator shall be made in writing, justifying the decision.

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Table 1. Bufferyard Requirements** | | Adjacent District | | | | | | | | |
| Subject District | AG |  |  |  |  |  |  |  |  |  |
| AG | / | SF |  |  |  |  |  |  |  |  |
| SF | A | B | MF |  |  |  |  |  |  |  |
| MF | A | D | B | HC |  |  |  |  |  |  |
| HC | A | E | E | B | GC |  |  |  |  |  |
| GC | A | E | E | B | B | TWN |  |  |  |  |
| TWN | A | D | D | B | B | B | GI |  |  |  |
| GI | A | H | H | C | C | D | B | LI |  |  |
| LI | A | G | G | C | D | D | B | B | BUFF |  |
| BUFF | @ | @ | @ | @ | @ | @ | @ | @ | @ |  |

/ = No bufferyard required

@ = As determined by Plan Commission

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Table 2. Bufferyard Planting Requirements** | | Plant Units Required per 100 Linear Feet | | | |  |
| Bufferyard | Width (feet) | Canopy Trees | Understory Trees | Shrubs | Evergreen Trees | Fence / Berm |
| A | 40 | 0 | 0 | 0 | 0 |  |
| B | 5 | 1 | 1 | 0 | 0 |  |
| C | 10 | 1 | 2 | 3 | 1 |  |
| D | 15 | 2 | 4 | 6 | 3 |  |
| E | 10 | 3 | 5 | 9 | 3 | F1 or F2 |
| F | 20 | 4 | 8 | 12 | 5 | F1 or F2 |
| G | 30 | 5 | 8 | 18 | 8 | F1 or F2 and B1 |
| H | 50 | 6 | 9 | 18 | 12 | F1 or F2 and B1 |

|  |  |  |
| --- | --- | --- |
| **Table 3. Fence and Berm Standards** | | |
| **Fence** | **Height (feet)** | **Material / Design** |
| F1 | 8 | Wood Stockade |
| F2 | 6 | Masonry Wall |
| **Berm** | **Height (feet)** | **Material / Design** |
| B1 | 5 | Earth |

1. **Lighting**
   1. Lighting. In any district, outdoor lighting, where provided, shall be of a design and size that is harmonious with the design of the building, the type of land use, and the type of adjacent land uses. If external spot or flood lighting is used, the light source should be shielded and restrained in such a manner so as not to illuminate or intrude on surrounding properties. Excessive brightness, flashing lights, and brilliant colors are not permitted.
2. **Lots and Setbacks**
   1. Lots. Every primary structure hereafter erected, except agricultural structures not used for human habitation, shall be located on an individual lot which fronts on a street or private drive. No building or structure shall hereafter be erected or located on a lot unless such lot conforms with the lot area regulations of the district in which it is located or in accordance with Section 8. Non-conforming Uses.
   2. Setbacks.
      1. In the case of a through or corner lot, any property line abutting a street shall be considered a front property line and the setback from that line shall conform to the front yard setback regulations of that district. Corner lots shall have two (2) front yard setbacks and two (2) side yard setbacks.
      2. Where twenty-five percent (25%) or more of the lots in a block are occupied by buildings, the average setbacks of such buildings determine the front yard setback in the block. If there are no other buildings within three hundred thirty (330) feet of the proposed building in either direction, then the standard setback for the district shall apply.
      3. Front yard setback lines established in recorded subdivisions establish the front yards in such subdivisions. After the adoption of this ordinance, no subdivision shall be platted with building setback lines less than the required front yard of the district in which it is located.
      4. One-half of an alley abutting the rear or side of a lot may be included in the rear yard setback or side yard setback, respectively, but such alley space shall not be included for loading and unloading berths.
      5. Architectural features (cornices, chimney, eave, sill, canopy, or similar feature) or open platforms, porches, or landings may extend into a required side or rear yard not more than two (2) feet, and may project into a required front yard not more than three (3) feet.
   3. Driveways. An ILP shall be required for Residential Driveways that connect to any street owned by the Town of Paoli, Indiana. Driveways shall be adequately separated from roadway intersections in order to minimize conflict with intersection traffic. No driveway shall enter the adjoining street at a point closer than the distances shown below to the intersection of the street right-of-way lines, or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended:
      1. Local Street: 50 feet
      2. Collectors: 75 feet
      3. Arterials: 100 feet
3. **Parking & Loading**
   1. Purpose.
      1. To reduce traffic problems and hazards by eliminating unnecessary on-street parking and loading. Every use of land except those located in the TWN zoning district must include on-premises parking and loading sufficient for the needs normally generated by the use, as provided by this section.
      2. Off-street parking spaces shall be used only for the parking of vehicles of occupants, patrons, visitors, or employees and shall not be used for any kind of loading, sales, servicing, or continuous storage of vehicles for more than forty-eight (48) hours.
      3. Automotive vehicles or trailers of any type without plates in an inoperable condition so as to be deemed dead storage shall be prohibited in residential districts other than in completely enclosed buildings and shall not be parked or stored in any district unless specifically authorized under the terms of this ordinance.
      4. Space allotted to loading berths and loading areas shall not be used to satisfy parking space requirements.
      5. A property owner shall not have more than two vehicles in their yard for sale at any time without being labeled as an automobile sales business.
   2. General Design
      1. Non-residential parking or loading areas along the street-front should be minimized. When possible, parking or loading areas should be placed to the rear of the structure. All parking or loading areas shall be designed with appropriate means of movement and shall be so arranged that movement can proceed safely without posing a danger to pedestrians or other vehicles. No parking area shall be so designed as to require backing into a public street, public or private pedestrian access way, or from a public alley.
      2. All parking or loading spaces shall be designed, arranged and regulated as to open directly upon an aisle or driveway without obstruction.
      3. All parking areas shall be striped and channelized as appropriate. Parking spaces shall be marked and access lines clearly defined, including directional arrows to guide internal movement and directional signs as necessary.
      4. All parking or loading areas shall be maintained in good condition and free of weeds, dirt, trash, and debris.
      5. Parking spaces shall be provided with bumper guards or wheel stops along the perimeter of the parking area so located that no part of a parked vehicle will extend beyond the boundary of the parking area.
      6. No more than fifteen (15) parking spaces shall be permitted in a continuous row.
      7. All parking areas consisting of more than sixty (60) spaces shall provide separate pedestrian walkways. Such walkways should generally be oriented perpendicular to and between parking bays.
         1. One (1) walkway can serve as a collector for up to four (4) rows of parking spaces.
         2. The walkway should be a minimum of four (4) feet wide, allowing an additional thirty (30) inches on each side for overhanging of vehicles.
         3. All walkways should be constructed to be clearly defined through the use of material, landscaping or other form of delineation.
      8. Any use which fronts upon and utilizes access to a primary or secondary arterial shall provide and utilize a common frontage or access lane for the purpose of access, parking and loading.
      9. Required parking spaces may be open to the sky or enclosed in a structure. Parking structures shall be treated as any major structure and shall be subject to all applicable structural requirements of this ordinance and the issuance of an ILP.
      10. Parking structures shall be designed to be architecturally compatible with their surroundings, including appearance, size, scale, building materials, and bulk.
      11. All parking areas shall conform to state and federal requirements regarding handicap accessibility.
      12. A plan review shall be required for all parking areas.
   3. Design Flexibility
      1. Due to particularities of any given development, the inflexible application of required parking spaces may result in parking and loading spaces in excess of need. Upon the written request of the applicant, the Administrator may authorize a reduction of required parking spaces not to exceed ten percent (10%). Approval of reduction of required parking spaces by the Administrator shall be in writing and shall include justification for allowing such reduction.
      2. Upon written request by the applicant, up to twenty-five percent (25%) of the dedicated parking area may remain unpaved and in greenspace until such time as the need for maximum parking is determined. This decision and determination shall be at the discretion of the Administrator. Such decision shall be ratified by or appealed to the PPC. Such greenspace shall not be counted toward required landscaping or bufferyards.
   4. Required Parking Spaces
      1. In determination of required parking spaces, any fraction of less than one-half (0.50) shall be disregarded, while a fraction one-half (0.50) or greater shall be counted as one (1) parking space.
      2. For uses not specified in this section or in the instance requirements for an adequate number of spaces is unclear, the number of spaces shall be determined by the Administrator on the basis of similar requirements, the number of persons served or employed and the capability of adequately serving the visiting public. Such determination may be reviewed by the PPC or appealed to the BZA.
      3. Unless noted in accordance with this section, the number of required automobile parking spaces shall be considered the minimum allowable number of spaces for any particular use.

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| **Table 4. Parking Requirements** | |
| **Education** | |
| College & Universities  Trade or Business School | 1 per 3 students and employees |
| Elementary & Secondary Schools | 3 per classroom |
| High School | 6 per classroom |
| Libraries & Information Centers | 1 per 250sqft |
| **Government** | |
| Municipal or Government Buildings | 1 per 250sqft |
| **Industrial Uses** |  |
| Commercial Facility for Breeding Non-farm Fowl  Commercial Facility for Breeding Non-farm Animals | 1 per 3 employees, plus 1 per  125 sqft of sales area |
| Industry, General  Confined Feeding  Slaughter House  Warehouse (General)  Warehouse (Grain Storage)  Wholesale Business  Wholesale Produce Terminal  Non-industrial Farm, Agricultural, Animal Related Uses  Commercial Greenhouse | 1 per 2 employees |
| Commercial Greenhouse | 1 per 3 employees, plus 1 per 125 sqft of sales area |
| Veterinary Animal Hospital | 1 per 3 animal spaces (cages or pens) |
| **Non-profit Membership Organizations** | |
| Non-profit Membership Organizations | 1 per 5 seats |
| **Recreation, Amusement, Tourism** | |
| Bowling Alleys | 4 per lane |
| Golf & Country Clubs | 3 per golf hole |
| Bed and Breakfast  Hotel or Motel | 1 per sleeping room |
| Lodge or Private Club | 1 per 800sqft of gross floor area |
| Motion Picture Theater  Stadium, Coliseum  Theater, Outdoor | 1 per 5 seats |
| Outdoor Recreation Facility | 5 per acre |
| Stable, Public | 1 per 5,000sqft of lot area |
| **Residential** | |
| Day Care Center | 1 per 6 children, plus 1 per 2 employees |
| Group Residential Facility  Nursing Home | 1 per 4 residents |
| Dwelling – Single-family  Dwelling – Multi-family | 2 per dwelling unit |
| **Government** | |
| Municipal or Government Buildings | 1 per 250sqft |
| **Retail Trade - Food Stores** | |
| Cafeteria, Restaurant  Candy, Nut & Confectionary  Carry Out Restaurant  Dairy Products, Health Foods  Dinner Theater  Drive-In Restaurant  Fruits & Vegetables  Grocery, Bakery, Meat & Fish  Night Club  Tavern | 1 per 3 seats |
| **Trade - General Merchandise** | |
| Antique Store  Apparel Shop, Shoes, Custom Tailoring  Bait Sales  Bicycle Shops  Boat Sales  Book & Stationary Store  Camera & Photographic Supply  China, Glassware, Metalware  Department Store  Drapery, Curtain & Upholstery  Drug Store  Electrical Supply Store  Farm & Garden Supply  Farm Implements & Equipment Sales  Floor Coverings  Florists, Furriers  Gift, Novelty & Souvenir Shops  Hardware or Variety Store  Hobby, Toy & Game Shops  Household Appliances, Furniture  Jewelry Store  Liquor Store  Lumber & Building Materials Dealer  Monument Sales  Music & Video Stores  News Dealers  Paint, Glass & Wallpaper Store  Pet Shops  Plumbing, Heating & Air Conditioning Dealer  Shopping Center  Sporting Goods  Studio Business  Tobacco Stores | 1 per 200 sqft of gross floor area |
| Farm Implements & Equipment Sales | 1 per 1,000 sqft of lot and floor area |
| **Services - Medical** | |
| Convalescent Homes | 1 per 4 residents |
| Hospitals | 1 per 4 beds, plus 1 per doctor, plus 1 per 3 employees,  plus 1 per hospital vehicle |
| Clinic  Medical Office | 1 per 2 employees,  plus 3 per doctor |
| **Services – Personal** | |
| Cemetery or Crematory  Mortuary | 1 per 2 employees,  plus 1 per 6 seats |
| **Utilities, Transportation, Communications** | |
| Mass Transit Station | 1 per 2 employees, plus 1 per 4 public seats |
| **Vehicle Dealers, Repair, and Service** | |
| Automobile or Motorcycle Sales  Automobile Repair, Service Station | 1 per 200sqft of gross floor area, plus 1 per employee, plus 1 per 1,000sqft of sales lot |

* 1. Joint Use. Non-residential uses, within the same and/or separate structures, may provide joint parking provided the total number of spaces is not less than the sum of requirements for the various uses. To the extent that developments with joint parking operate at different times, such parking spaces may be credited to both uses.
  2. Satellite Parking. Parking shall be required on site, except as provided in this section; however, the BZA may grant satellite parking to any non-residential use by Special Exception. At least part of such parking must be within three hundred (300) feet of the proposed use. A site plan must accompany any such application for Special Exception and must include the following:
     1. Adjacent streets, alleys and lots.
     2. All uses to be served including the location, use and number of parking spaces provided.
     3. A layout drawn to scale indicating aisles, driveways, entrances, exits, turn-off lanes, parking spaces, setbacks, drainage facilities, landscaping, lighting, pavement, and identification signs including location, size and design.
     4. All satellite parking shall be developed, maintained and used in accordance with the approved site plan and all other requirements.
     5. Any change or other modification of uses served or number or parking spaces shall require amendment and re-approval by the BZA.
  3. Dimensions of Parking Spaces
     1. Each parking space shall contain a rectangular area ten (10) feet wide and twenty (20) feet long, exclusive of pedestrian passageways, access drives, aisles, ramps, or landscaped areas. Handicapped parking spaces shall conform to state and federal requirements regarding handicap accessibility.
     2. Parking areas set aside for parallel parking shall contain a rectangular area nine (9) feet wide and twenty-two (22) feet long.
     3. Parking aisle widths shall conform to the following table:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Table 5. Parking Aisle Width** | | | | | |
| Parking Angle | 0o | 30o | 45o | 60o | 90o |
| One-way Traffic (feet) | 13 | 11 | 13 | 18 | 24 |
| Two-way Traffic (feet) | 19 | 20 | 21 | 23 | 24 |

* + 1. Each loading space shall be of a size not less than that required for parking space but scaled larger to delivery vehicles expected to be used.
    2. Driveways shall be a minimum ten (10) feet wide for one-way traffic and eighteen (18) feet wide for two-way traffic, except that a ten (10) foot wide driveway is permissible for two-way traffic when the driveway is no longer than fifty (50) feet and provides access to a maximum of five (5) parking spaces.
  1. Loading Areas
     1. Loading areas shall conform with the following requirements.

|  |  |  |
| --- | --- | --- |
| **Table 6. Loading Berth Requirements and Distance from Residential Uses** | | |
|  | Required Berths | Berth Distance from Residential Uses (feet) |
| **Retail or Department Store, Wholesale Storage, Warehousing or other Business Use** | | |
| 3,000 to 15,000 sqft gross floor area | 1 | - |
| Each 15,000 sqft or additional fraction of gross floor area | 1 additional | - |
| **Office Building** | | |
| 25,000 to 100,000 sqft gross floor area | 1 | - |
| 100,000 to 350,000 sqft gross floor area | 2 | - |
| Each 200,000 or additional fraction of gross floor area | 1 additional | - |
| **Industrial Use** | | |
| Less than 15,000 sqft gross floor area | 1 | 100 |
| 15,000 to 40,000 sqft gross floor area | 2 | 100 |
| 40,000 to 100,000 sqft gross floor area | 3 | 100 |
| Each 40,000 or additional fraction of gross floor area | 1 additional | 100 |
| **Commercial Greenhouse** | | |
| 15,000 square feet or less | 1 | 50 |
| More than 15,000 square feet | 2 | - |
| **Hospital** | | |
| 200 beds or less | 1 | 50 |
| 200 to 500 beds | 2 | 50 |
| more than 500 beds | 3 | 50 |
| **Commercial facility for breeding/raising non-farm fowl and animals** | | |
| Commercial facility for breeding/raising non-farm fowl and animals | 1 | 100 |
| **Stadium or Coliseum** | | |
| Stadium or Coliseum | 2 | 50 |
| **Airport** | | |
| Airport | Same as Industrial | 100 |
| **Mineral Extraction** | | |
| Mineral Extraction, Borrow Pit, Topsoil Removal and Their Storage Areas | Same as Industrial | 300 |
| **Outdoor Commercial Recreational Enterprise** | | |
| Outdoor Commercial Recreational Enterprise | Same as Industrial | 50 |
| **Truck Freight Terminal** | | |
| Truck Freight Terminal | Same as Industrial | 100 |

* 1. Surface
     1. All parking or loading areas for five (5) or more automobiles shall be developed in accordance with the following standards:
        1. Parking and loading areas shall be graded and surfaced with an all-weather paving material such as asphalt, concrete, or other material that will provide equivalent protection against potholes, erosion, and dust. However, a gravel surface may be used for a period not exceeding one (1) year after the date of issuing the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified in this section.
        2. All areas shall be striped and channelized as appropriate. Parking stalls shall be marked and the access lines clearly defined, including directional arrows to guide internal movement.
  2. Landscaping
     1. Parking lots should be effectively landscaped with trees and shrubs to reduce the visual impact of glare, headlights, and parking lot lights from the public right-of-way and from adjoining properties. In addition, parking lots should be adequately shaded to reduce the amount of reflected heat.
        1. Perimeter Bufferyard. Parking or loading areas abutting any street-front or residential use shall provide a perimeter Bufferyard C for parking and Bufferyard E for loading areas or that required for the proposed use in Section 3.A. Bufferyards, whichever is greater.
        2. Interior Landscaping. Interior landscaping shall be comprised of one (1) canopy tree and three (3) shrubs for every fifteen (15) parking spaces.
        3. Maintenance. Maintenance of landscaping for parking and loading areas shall be in accordance with Section 3.A. Bufferyards.
        4. Lighting. Lighting provided to illuminate off-street parking areas shall be so arranged, shielded and directed upon the parking area in such a manner as to not reflect or cause glare into adjacent properties or interfere with street traffic.
        5. Loading and Unloading. Uses, except those that do not receive or transport goods in quantity by truck delivery, shall be provided loading berths. Each loading and unloading berth must include a twelve (12) foot by forty-five (45) foot loading space with a fourteen (14) foot height clearance. Loading and unloading berths must be a minimum distance from the nearest residential use in accordance with Table 6, Loading Berth Requirements and Distance from Residential Uses.
        6. Inspections. At the time the structure receives its final inspection, the completion of the landscaping in accordance with these requirements shall also be a part of the final inspection. However, if seasonal circumstances do not permit the planting of the required landscaping, the final inspection of the landscaping shall be performed at a reasonable, later date as determined by the Administrator.
  3. Non-Conforming Parking, Enlargement, or Alteration of Existing Structure.
     1. No use lawfully established prior to the effective date of this section shall be required to provide and maintain the parking and loading requirements of this section, provided that parking and loading spaces required by any previous ordinance pursuant to state statutes shall be continued and maintained.
     2. For any non-conforming use which is hereafter damaged or partially destroyed, and which is lawfully reconstructed, re-established, or repaired, parking and loading facilities equivalent to those maintained at the time of such damage or partial destruction shall be restored and continued in operation, provided, however, it is not necessary to restore or maintain parking or loading facilities in excess of those required by this ordinance for equivalent new uses.
     3. When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, floor area, beds, seating capacity, or other unit of measurement, parking and loading facilities shall be provided for such increase in intensity of use.
     4. When the existing use of a building, structure or premises shall be changed or converted to a new use permitted by this ordinance, parking and loading facilities shall be provided as required for the new use.
     5. Parking and loading facilities in existence on the effective date of this section shall not be reduced below or if already less than, shall not be further reduced below, the requirements for a new use under this section.

1. **Signs**
   1. General Sign Standards. These sign standards apply to uses that are permitted in each respective zoning district by right, special exception, or use variance. The intent of these sign standards is to accomplish the goals of the Comprehensive Plan; to regulate time, place and manner characteristics of signs; to avoid the proliferation of signs; to provide businesses with appropriate identification; to create a consistent streetscape; to maintain and enhance the aesthetic environment of the town; to eliminate potential hazards to motorists and pedestrians resulting from sign clutter; and, to promote the health, safety, and welfare of the residents of Paoli.
      1. Sign Types. The different types of signs addressed in this ordinance are defined in Section 10. General Definitions.
         1. Permitted Signs. The types of signs specifically permitted in each in each zoning district and their respective regulations are listed in this article.
         2. Prohibited Signs. Type types of signs specifically prohibited in each zoning district are listed in this article. In addition, the following types of signs are prohibited in all districts:
         3. Animated Signs: Signs that gain attention through animation, including:
            1. Signs that utilize any motion picture, laser, or visual projection of images or copy.
            2. Signs that emit audible sound, odor or visible matter.
            3. Signs that have blinking, flashing, or fluttering lights or which has a changing light intensity, brightness or color, or give such illusion.
         4. Misleading Signs: Signs that are misleading, including:
            1. Signs that purport to be or are in imitation of, or resemble an official traffic sign or signal or which bear the words "Stop", "Slow", "Caution", "Danger", "Warning", or similar words.
            2. Signs that may be construed as or have on it a light of an emergency or road equipment vehicle.
         5. Roof Signs: Signs to be placed on the roofs of structures and signs that extend above the roof line or parapet of a building.
         6. Vehicle Signs: Vehicle signs are prohibited when the vehicle is parked on public or private property for the primary purpose of displaying the sign. Prohibited vehicle signs are not to be construed as vehicles with signs on them that:
            1. Are lawfully parked overnight or during nonbusiness hours for that operation, on public or private property;
            2. Are making deliveries, sales calls, or customary practices relating to doing business;
            3. Are making trips to transport persons or property; or
            4. Are in conjunction with customary construction operations on a construction site.
         7. Other Prohibited Signs:
            1. Trailblazer or point of destination signs.
            2. Search lights.
            3. Pennants, streamers, and/or spinners.
            4. Bench signs.
            5. Signs with moving or movable parts.
            6. Obscene signs that contain profane language, male genitalia and/or female genitalia are prohibited.
         8. Signs Exempt from These Regulations. Signs that are specifically exempt from these regulations and their respective limitations include:
         9. Building Addresses: Every building is required to post its numerical street address, and is exempt from needing a permit if installed as follows:
            1. Single Family Residential Structure Addresses: Street addresses for single family residential structures shall consist of Arabic numerals (i.e. 1,2,3 ... ) no less than three (3) inches in height and no more than eight (8) inches in height on its mailbox and/or at its main entrance door, whichever is more visible.
            2. Apartment Complex Addresses: Street addresses for apartment complexes shall consist of Arabic numerals (e.g. 1, 2, 3 ...) no less than five (5) inches in height and no more than ten (10) inches in height. Each apartment complex is required to have each building's address displayed in an obvious location if the entrance into each apartment unit is not clearly labeled with a street address.
            3. Non-residential Use Addresses: The minimum and maximum height for address numbers varies according to front setback as follows:

If the address is posted one-hundred (100) feet or less from the road right-of-way, the numbers shall be between five (5) and twelve (12) inches in height.

If the address is posted between one-hundred (100) and two-hundred (200) feet from the road right-of-way, the numbers shall be between eight (8) and sixteen (16) inches in height.

If the address is posted over two-hundred (200) feet from the road right-of-way, the numbers shall be between twelve (12) and twenty (20) inches in height.

* + - * 1. Legibility: All street addresses shall contrast to the color of the surface on which they are mounted and shall be clearly visible and identifiable from the street.
      1. Directional Devices: Directional devices if installed as follows:
         1. Use: Directional devices shall be used to indicate points of entry or exit for a business, public amenity, or off-street parking area.
         2. Area: Directional devices are limited to a maximum of four (4) square feet in area per entrance.
         3. Height: Directional devices are limited to a maximum of forty-two (42) inches in height above the ground.
         4. Placement:

Directional devices shall not interfere with safe vehicular or pedestrian traffic circulations.

Directional devices shall not obstruct tile view of drivers entering or exiting the lot.

Directional devices shall not be placed within a public right-of-way.

Directional devices shall be on the property to which it refers.

* + - * 1. Quantity: No more than two (2) directional devices shall be used per street frontage, with a maximum of four (4) per parcel.
        2. Message: Directional devices without a logo may contain information such as “in”, “enter', “entrance”, "out", “exit", “do not enter" or directional arrows indicating desired traffic movement.
      1. Flags: The flag, pennant, or insignia of any nation, state, city or other political unit are exempt, but shall not be mounted more than thirty-five (35) feet in height and be more than forty (40) square feet in area (e.g. a five (5) foot by eight (8) foot flag).
         1. Residential: maximum area of a flag shall be twenty-five (25) square feet.
         2. Non-residential: maximum area of a flag shall be thirty-five (35) square feet.
      2. Holiday Decorations: Holiday decorations are exempt and may include window painting, trees, wreaths, decorative lighting, and similar seasonal displays that do not contain the name or logo of an establishment or any type of advertising..
      3. Informational Signs: Informational signs are exempt.
      4. Murals: Murals are exempt provided that the mural does not contain the name or logo of an establishment or any type of advertising. Murals with non-commercial messages.
      5. Residential Private Property: Informational Signs are permitted on residential private property provided that they do not exceed one (1) square foot in area.
      6. Religious Symbols: Religious symbols that are incorporated into the architecture on places of worship or structures owned and operated by religious organizations that are not accompanied with text.
      7. Scoreboards: Scoreboards are exempt from needing a permit as follows: (1) when used in conjunction with a legally established sport field, and (2) when not containing any commercial messages, and (3) when the scoreboard does not exceed twenty (20) feet in height above the ground, and (4) when the total scoreboard area does not exceed one hundred (100) square feet, and (5) when the scoreboards are single sided.
      8. Wayfinding Signs: Wayfinding signs erected by the municipality.
    1. Sign Permits
       1. Signs Requiring Permits. A sign permit is required for all signs located, erected, constructed, reconstructed, moved, and altered unless otherwise stated in the in this Article.
       2. Signs Exempt from Permits. See section E.1.a.iii, Signs Exempt from These Regulations.
    2. Installation
       1. The ground shall not be raised or lowered to artificially change the point at which a sign height is measured.
    3. Location and Placement
       1. Signs may not be installed at any of the following locations:
       2. In any public right-of-way, unless specifically authorized by the Town Council or their designee.
       3. In any utility easement unless authorized by the Town Council or their designee.
       4. In any no-build or no-disturb zone.
       5. In any public park or other public property, with the exception of those signs specifically permitted in this Zoning Ordinance.
       6. On any traffic control signs, highway construction signs, fences, utility poles, street signs, trees or other natural objects.
       7. Obstructing any door, fire escape, stairway, or any opening intended to provide entrance or exit for any building or structure.
       8. In a manner that obstructs or interferes with safe movement of vehicular or pedestrian traffic.
    4. Materials
       1. Pole signs shall not have poles or support structures that are wooden.
    5. Computations
       1. Computation of Area of Individual Signs. The area of a sign face (which is also the sign area of a wall sign or other sign with only one (1) face) shall be computed by means of the smallest rectangle that will encompass the extreme limits of the sign, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the regulations and is clearly incidental to the display itself.
       2. Computation of Area of Multifaceted Signs. The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces.
       3. iii. Computation of Height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign or structure supporting the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.
       4. Computation of Maximum Total Permitted Sign Area for a Lot. The permitted sum of the area of all individual signs on a lot shall be computed by applying the regulations for the road frontage, building frontage or wall area for each respective sign and zoning district in which the lot is located. Lots fronting on two (2) or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot’s total sign area allocation that is derived from the lot, building, or wall area frontage on that street.
    6. Maintenance. All signs and components thereof shall be kept in good repair and in safe, neat, clean and working condition. A sign that is not properly maintained shall be classified as an “abandoned sign” and shall be regulated accordingly.
    7. Abandoned Signs. All on-site signs, their mounting, and related components shall be removed within six (6) months of the day the business which it identifies is no longer conducted. When a permanent sign exists that allows a "face-out/face-in" change to identify a new business, said sign may be left standing, but must be covered with a durable and attractive material. Under no circumstances shall any permanent sign be left in place for more than three (3) months. The owner of the premise upon which the sign is located is responsible for its removal or covering.
    8. Non-conforming Signs. Signs existing prior to the adoption of these sign regulations shall be classified below. Signs are considered “structures” and are further regulated in Article Eleven with regard to non-conforming structures.
       1. Conforming – the sign meets the new regulations;
       2. Legally non-conforming – the sign met the old regulations and is now grandfathered; or
       3. Illegal - the sign didn't meet the old regulations and doesn't meet the new regulations.
    9. Violations and Penalties. Failure to comply with the provisions of this Article will result in notices, enforcement and penalties as per Article 5 of this UDO.
       1. Repeat Violation: A repeat violation means a violation of a specific provision of this section by a person who has been previously found to have violated the same provision within a period of five (5) years prior to a subsequent violation. If a repeat violation is found, the Administrator shall document the violation, but is not required to notify the violator of the repeat violation or required to give the violator time to correct the violation before proceeding with enforcement measures and penalties.
  1. **Agriculture (AG) Sign Standards**
     1. Overall District Sign Regulations

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| **Sign Regulations for Permanent and Temporary Signs in the AG District** | | | | |
| **Cumulative Total of Permanent Signs Permitted on Site** | **Cumulative Total of Temporary Signs Permitted on Site** | **Maximum Cumulative Area of Permanent Signs**  ***(square feet)*** | **Permitted Signs** | **Prohibited Signs** |
| 1 per 200 feet of road frontage  *(unless otherwise stated by sign type)* | 2  *(unless otherwise stated by sign type)* | 40 | PERMANENT SIGNS:  Changeable Copy  Marker Sign  Monument Sign  Wall Sign  TEMPORARY SIGNS:  Changeable Copy  Marker Sign  Monument Sign  Wall Sign | Awning  Banner  Bench sign  Billboard  Electronic  Hanging  Inflatable  Mural  Off-premise  Pole  Portable  Projecting  Roof  Unified Development  Vehicle  Window |

* + - 1. Illumination. All illuminated signs shall comply with the following standards:
         1. No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
         2. All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days or as soon as possible if circumstances (e.g. weather or product availability) do not allow.
         3. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
         4. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
         5. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.
    1. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.
       1. **Permanent Changeable Copy Sign Standards**
          1. Prerequisites:
       2. for institutional uses only
       3. Sign must be accessory to a primary structure and use on the subject site.
          1. Maximum Quantity: 1 sign
          2. Maximum Area:
       4. Monument sign: 20 square feet per side
       5. Wall sign: 20 square feet
          1. Maximum Height:
       6. Monument sign: 6 feet above ground level
       7. Wall sign: 20 feet above ground level
          1. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
          2. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
       8. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
       9. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
       10. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
           1. Other Limitations:
       11. No part of a wall sign may protrude more than 4 inches from the wall it is attached to.
       12. At least 100 feet of separation between monument signs on the same lot.
       13. **Permanent Marker Sign Standards**
           1. Prerequisites:
       14. for agricultural uses only
       15. lot must have at least 500 feet of road frontage
           1. Maximum Quantity: 1 sign
           2. Maximum Area: 16 square feet per side
           3. Maximum Height: 12 feet above ground level
           4. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
           5. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
       16. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
       17. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
       18. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
           1. Other Limitations: none.
       19. **Permanent Monument Sign Standards**
           1. Prerequisites:
       20. for institutional uses only
       21. Sign must be accessory to a primary structure and use on the subject site.
           1. Maximum Quantity: 1 sign
           2. Maximum Area: 40 square feet per side
           3. Maximum Height: 6 feet above ground level
           4. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
           5. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
       22. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
       23. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
       24. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
           1. Other Limitations: none.
       25. **Permanent Wall Sign Standards**
           1. Prerequisites:
       26. for institutional uses only
       27. Sign must be accessory to a primary structure and use on the subject site.
           1. Maximum Quantity: 2 signs
           2. Maximum Area: 40 square feet
           3. Maximum Height:
       28. Maximum height of sign is 15 feet.
       29. Sign may not be located more than 12 feet above ground level
           1. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
           2. Other Limitations:
       30. No part of the sign may protrude more than 4 inches from the wall it is attached.
       31. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
    2. Temporary Signs. The following signs are permitted as temporary signs and are subject to the time, placement, and development standards described for each type of sign respectively. All other types of signs are prohibited.
       1. **Temporary Changeable Copy Sign Standards**
          1. Prerequisites: for institutional uses only.
          2. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          3. Type: monument sign only.
          4. Maximum Quantity: 1 sign per road frontage of the subject lot.
          5. Maximum Area: 5 square feet per side.
          6. Maximum Height: 4 feet above ground level.
          7. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
          8. Permit required: no
          9. Other Limitations: None.
       2. **Temporary Marker Sign Standards**
          1. Prerequisites:
       3. For agricultural uses only.
       4. Lot must have at least 300 feet of road frontage
          1. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          2. Maximum Quantity: 60 per 300 feet of road frontage.
          3. Maximum Area: 4 square feet per side.
          4. Maximum Height: 8 feet above ground level.
          5. Setback: 10 feet from right-of-way or sidewalk, whichever is farthest
          6. Permit required: no.
          7. Other Limitations: None.
       5. **Temporary Monument Sign Standards**
          1. Prerequisites: None.
          2. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          3. Maximum Quantity: 1 sign per road frontage of the subject lot
          4. Maximum Area: 5 square feet per side.
          5. Maximum Height: 4 feet above ground level.
          6. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
          7. Permit required: no.
          8. Other Limitations:
       6. Sign cannot be located on any public sidewalk.
       7. Sign may not be permanently affixed to the ground.
       8. **Temporary Wall Sign Standards**
          1. Prerequisites: None.
          2. Duration: For the duration of the temporary event, but the event shall not to exceed 7 consecutive days or 14 total days in any calendar year. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          3. Maximum Quantity: 1 sign
          4. Maximum Area: 5 square feet.
          5. Maximum Height:
       9. Maximum height of sign is 4 feet.
       10. Sign may not be located more than 15 feet above ground level
           1. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
           2. Permit required: no.
           3. Other Limitations: None.

**3. Single-family Residential (SF) Sign Standards**

* + 1. Overall District Sign Regulations

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| **Sign Regulations for Permanent and Temporary Signs in the SF District** | | | | |
| **Cumulative Total of Permanent Signs Permitted on Site** | **Cumulative Total of Temporary Signs Permitted on Site** | **Maximum Cumulative Area of Permanent Signs**  ***(square feet)*** | **Permitted Signs** | **Prohibited Signs** |
| 1 per each road frontage  *(unless otherwise stated by sign type)* | 1 per each road frontage  *(unless otherwise stated by sign type)* | 40 square feet per each road frontage | PERMANENT SIGNS: Changeable Copy  Marker Sign  Monument Sign  Wall Sign  TEMPORARY SIGNS:  Banner  Changeable Copy  Marker Sign  Monument Sign | Awning  Bench Sign  Billboard  Electronic  Hanging  Inflatable  Mural  Off-premise  Pole  Portable  Projecting  Roof  Unified Development  Vehicle  Window |

* + - 1. Illumination. All illuminated signs shall comply with the following standards:
         1. No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
         2. All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days or as soon as possible if circumstances (e.g. weather or product availability) do not allow.
         3. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
         4. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
         5. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.
    1. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.
       1. **Permanent Changeable Copy Sign Standards**
          1. Prerequisites:
       2. for institutional uses only
       3. Sign must be accessory to a primary structure and use on the subject site.
          1. Maximum Quantity: 1 sign
          2. Maximum Area:
       4. Monument sign: 20 square feet per side
       5. Wall sign: 20 square feet
          1. Maximum Height:
       6. Monument sign: 6 feet above ground level
       7. Wall sign: 20 feet above ground level
          1. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
          2. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
       8. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
       9. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
       10. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
           1. Other Limitations:
       11. No part of a wall sign may protrude more than 4 inches from the wall it is attached to.
       12. At least 100 feet of separation between monument signs on the same lot.
       13. **Permanent Marker Sign Standards**
           1. Prerequisites:
       14. for agricultural uses only
       15. lot must have at least 500 feet of road frontage
           1. Maximum Quantity: 1 sign
           2. Maximum Area: 16 square feet per side
           3. Maximum Height: 12 feet above ground level
           4. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
           5. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
       16. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
       17. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
       18. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
           1. Other Limitations: none.
       19. **Permanent Monument Sign Standards**
           1. Prerequisites: for subdivision or neighborhood entryways and for institutional uses
           2. Maximum Quantity: 1 sign per road frontage
           3. Maximum Area: 40 square feet per side
           4. Maximum Height: 6 feet above ground level
           5. Setback: 5 foot from right-of-way
           6. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
       20. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
       21. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
       22. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
           1. Other Limitations:
       23. Sign shall be maintained by a home owner’s association or similar legally binding arrangement.
       24. Sign must consist entirely of brick, stone, or other aesthetically appealing materials. The reverse sides of such signs shall use the same materials and be finished to match the front.
       25. **Permanent Wall Sign Standards**
           1. Prerequisites:
       26. for institutional uses only
       27. Sign must be accessory to a primary structure and use on the subject site.
           1. Maximum Quantity: 1 per façade, maximum 2 signs
           2. Maximum Area: 40 square feet
           3. Maximum Height:
       28. Maximum height of sign is 15 feet.
       29. Sign may not be located more than 12 feet above ground level
           1. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
           2. Other Limitations:
       30. No part of the sign may protrude more than 4 inches from the wall it is attached.
       31. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
    2. Temporary Signs. The following signs are permitted as temporary signs and are subject to the time, placement, and development standards described for each type of sign respectively. All other types of signs are prohibited.
       1. **Temporary Banner Sign Standards**
          1. Prerequisites: None.
          2. Duration: For the duration of the temporary event, but the event shall not to exceed 7 consecutive days or 14 total days in any calendar year. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          3. Maximum Quantity: 1.
          4. Maximum Area: 25 square feet
          5. Maximum Height: 15 feet above ground level.
          6. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
          7. Permit required: no
          8. Other Limitations:
       2. Sign cannot be located on any public sidewalk.
       3. **Temporary Changeable Copy Sign Standards**
          1. Prerequisites: for institutional uses only.
          2. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          3. Type: monument sign only.
          4. Maximum Quantity: 1 sign per road frontage of the subject lot.
          5. Maximum Area: 5 square feet per side.
          6. Maximum Height: 4 feet above ground level.
          7. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
          8. Permit required: no
          9. Other Limitations: None.
       4. **Temporary Marker Sign Standards**
          1. Prerequisites:
       5. For agricultural uses only.
       6. Lot must have at least 300 feet of road frontage
          1. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          2. Maximum Quantity: 60 per 300 feet of road frontage.
          3. Maximum Area: 4 square feet per side.
          4. Maximum Height: 8 feet above ground level.
          5. Setback: 10 feet from right-of-way or sidewalk, whichever is farthest
          6. Permit required: no.
          7. Other Limitations: None.
       7. **Temporary Monument Sign Standards**
          1. Prerequisites: None.
          2. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
          3. Placement: Sign must be placed adjacent to the public right-of-way.
          4. Maximum Quantity: 1 sign per road frontage of the subject lot
          5. Maximum Area: 5 square feet per side.
          6. Maximum Height: 4 feet above ground level.
          7. Setback: 1 foot from right-of-way or sidewalk, whichever is farthest
          8. Permit required: no.
          9. Other Limitations:
       8. Sign cannot be located on any public sidewalk.
       9. Sign may not be permanently affixed to the ground.

**4. Multi-family Residential (MF) Sign Standards**

* + 1. Overall District Sign Regulations

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| **Sign Regulations for Permanent and Temporary Signs in the MF District** | | | | |
| **Cumulative Total of Permanent Signs Permitted on Site** | **Cumulative Total of Temporary Signs Permitted on Site** | **Maximum Cumulative Area of Permanent Signs**  ***(square feet)*** | **Permitted Signs** | **Prohibited Signs** |
| 1 per each road frontage  *(unless otherwise stated by sign type)* | 1 per each road frontage  *(unless otherwise stated by sign type)* | 50 square feet per each road frontage | PERMANENT SIGNS:  Changeable Copy  Marker Sign  Monument Sign  Wall Sign  TEMPORARY SIGNS:  Banner  Marker Sign  Monument Sign | Awning  Bench Sign  Billboard  Electronic  Hanging  Inflatable  Mural  Off-premise  Pole  Portable  Projecting  Roof  Unified Development  Vehicle  Window |

* + 1. Illumination. All illuminated signs shall comply with the following standards:
       1. No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
       2. All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days or as soon as possible if circumstances (e.g. weather or product availability) do not allow.
       3. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
       4. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
       5. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.
  1. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.
     1. **Permanent Changeable Copy Sign Standards**
        1. Prerequisites:
        2. for institutional uses only
        3. Sign must be accessory to a primary structure and use on the subject site.
        4. Maximum Quantity: 1 sign
        5. Maximum Area:
        6. Monument sign: 25 square feet per side
        7. Wall sign: 25 square feet
        8. Maximum Height:
        9. Monument sign: 6 feet above ground level
        10. Wall sign: 20 feet above ground level
        11. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
        12. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
        13. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
        14. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
        15. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
        16. Other Limitations:
        17. No part of a wall sign may protrude more than 4 inches from the wall it is attached to.
        18. At least 100 feet of separation between monument signs on the same lot.
     2. **Permanent Marker Sign Standards**
        1. Prerequisites:
        2. for agricultural uses only
        3. lot must have at least 500 feet of road frontage
        4. Maximum Quantity: 1 sign
        5. Maximum Area: 16 square feet per side
        6. Maximum Height: 12 feet above ground level
        7. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
        8. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
        9. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
        10. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
        11. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
        12. Other Limitations: none.
     3. **Permanent Monument Sign Standards**
        1. Prerequisites: for apartment complexes or lease lot developments with at least 20 dwelling units and for institutional uses
        2. Maximum Quantity: 1 sign per road frontage
        3. Maximum Area: 50 square feet per side
        4. Maximum Height: 5 feet above ground level
        5. Setback: 5 foot from right-of-way
        6. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
        7. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
        8. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
        9. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
        10. Other Limitations:
        11. Sign shall be maintained by a home owner’s association or similar legally binding arrangement.
        12. Sign must consist entirely of brick, stone, or other aesthetically appealing materials. The reverse sides of such signs shall use the same materials and be finished to match the front.
     4. **Permanent Wall Sign Standards**
        1. Prerequisites:
        2. for institutional uses only
        3. Sign must be accessory to a primary structure and use on the subject site.
        4. Maximum Quantity: 1 per façade, maximum 2 signs
        5. Maximum Area: 50 square feet
        6. Maximum Height:
        7. Maximum height of sign is 15 feet.
        8. Sign may not be located more than 12 feet above ground level
        9. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
        10. Other Limitations:
        11. No part of the sign may protrude more than 4 inches from the wall it is attached.
        12. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
  2. Temporary Signs. The following signs are permitted as temporary signs and are subject to the time, placement, and development standards described for each type of sign respectively. All other types of signs are prohibited.
     1. **Temporary Banner Sign Standards**
        1. Prerequisites: None.
        2. Duration: For the duration of the temporary event, but the event shall not to exceed 7 consecutive days or 14 total days in any calendar year. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        3. Maximum Quantity: 1.
        4. Maximum Area: 25 square feet
        5. Maximum Height: 15 feet above ground level.
        6. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
        7. Permit required: no
        8. Other Limitations: Sign cannot be located on any public sidewalk.
     2. **Temporary Marker Sign Standards**
        1. Prerequisites:
        2. For agricultural uses only.
        3. Lot must have at least 300 feet of road frontage
        4. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        5. Maximum Quantity: 60 per 300 feet of road frontage.
        6. Maximum Area: 4 square feet per side.
        7. Maximum Height: 8 feet above ground level.
        8. Setback: 10 feet from right-of-way or sidewalk, whichever is farthest
        9. Permit required: no.
        10. Other Limitations: None.
     3. **Temporary Monument Sign Standards**
        1. Prerequisites: None.
        2. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        3. Placement: Sign must be placed adjacent to the public right-of-way.
        4. Maximum Quantity: 1 sign per road frontage of the subject lot
        5. Maximum Area: 5 square feet per side.
        6. Maximum Height: 4 feet above ground level.
        7. Setback: 5 foot from right-of-way or sidewalk, whichever is farthest
        8. Permit required: Yes. Each new sign or the posting/relocation of an existing sign requires a new permit.
        9. Other Limitations:
        10. Sign cannot be located on any public sidewalk.
        11. Sign may not be permanently affixed to the ground.

**5. Town Square (TWN) Sign Standards**

* + 1. Overall District Sign Regulations

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| **Sign Regulations for Permanent and Temporary Signs in the TWN District** | | | | |
| **Cumulative Total of Permanent Signs Permitted on Site** | **Cumulative Total of Temporary Signs Permitted on Site** | **Maximum Cumulative Area for Permanent Signs**  ***(square feet)*** | **Permitted Signs** | **Prohibited Permanent Signs** |
| 1 per 200 feet of road frontage  *(unless otherwise stated by sign type)* | 1 per tenant  *(unless otherwise stated by sign type)* | SINGLE-TENANT STRUCTURE: 60 square feet  MULTI-TENANT STRUCTURE: 40 square feet per tenant | PERMANENT SIGNS:  Awning  Changeable Copy  Electronic/Hanging  Mural  Projecting  Unified Development  Wall Sign  Window  Wayfinding  TEMPORARY SIGNS:  Banner  Marker Sign  Sandwich Board Sign(only permitted during business hours) | Banner  Bench Sign  Billboard  Inflatable  Marker Sign  Monument Sign  Off-premise  Pole  Portable  Roof  Vehicle |

* + 1. Illumination. All illuminated signs shall comply with the following standards:
       1. No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
       2. All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days or as soon as possible if circumstances (e.g. weather or product availability) do not allow.
       3. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
       4. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
       5. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.
  1. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.
     1. **Permanent Awning Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity: none.
        3. Maximum Area:
        4. Single-tenant structure: 20 square feet
        5. Multi-tenant structure: 10 square feet per tenant
        6. Maximum Height:
        7. Maximum height of sign is 2 feet.
        8. No part of the awning shall be less than 9 feet above ground level
        9. Top of awning sign may not be located more than 15 feet above ground level
        10. Other Limitations: Sign shall not be illuminated by back-lighting.
     2. **Permanent Changeable Copy Sign Standards**
        1. Prerequisites: Must be an integral part of a permanent wall sign.
        2. Maximum Quantity: Per maximum quantity requirements for permanent wall signs.
        3. Maximum Area: Up to 100% of a permanent wall sign.
        4. Maximum Height: Per maximum height for permanent wall signs.
        5. Other Limitations:
        6. Only static messages are allowed which are placed text or electronic messages.
        7. No scrolling, flashing, or cyclical changing of electronic messages is permitted.
     3. **Permanent Electronic/ Sign Standards**
        1. Prerequisites: Must be an integral part of a permanent wall sign.
        2. Maximum Quantity: Per maximum quantity requirements for permanent wall signs.
        3. Maximum Area: Up to 100% of a permanent wall sign.
        4. Maximum Height: Per maximum height for permanent wall sign.
        5. Other Limitations:
        6. Only static messages are allowed which are placed text or electronic messages.
        7. No scrolling, flashing, or cyclical changing of electronic messages is permitted.
     4. **Permanent Hanging Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity: 1 per tenant
        3. Maximum Area:
        4. Single-tenant structure: 10 square feet
        5. Multi-tenant structure: 10 square feet per tenant
        6. Maximum Height:
        7. Maximum height of sign is 2 feet.
        8. No part of the sign shall be less than 9 feet above ground level
        9. Top of sign may not be located more than 15 feet above ground level
        10. Other Limitations: Sign shall not be illuminated.
     5. **Permanent Mural Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity:
        3. Single-tenant structure: 1 sign per façade, maximum 2 signs per building
        4. Multi-tenant structure: 1 sign per tenant, maximum of three separate signs
        5. Maximum Area:
        6. Single-tenant structure: 65 square feet
        7. Multi-tenant structure: 50 square feet per tenant
        8. Maximum Height:
        9. Maximum height of sign is 4 feet.
        10. Sign may not be located more than 16 feet above ground level
        11. Other Limitations:
        12. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
     6. **Permanent Projecting Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity: 1 per tenant
        3. Maximum Area:
        4. Single-tenant structure: 15 square feet
        5. Multi-tenant structure: 10 square feet per tenant
        6. Maximum Height:
        7. Maximum height of sign is 10 feet.
        8. No part of the sign shall be less than 9 feet above ground level
        9. Top of sign may not be located more than 15 feet above ground level
        10. Other Limitations:
        11. No part of the sign may protrude more than 18 inches from the wall it is attached.
        12. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
     7. **Permanent Unified Development Sign Standards**
        1. Prerequisites:
        2. for multi-tenant developments with at least 5 separate tenants and 12,000sqft of space that can be occupied in the building.
        3. these signs are permitted in addition to all other permanent signs permitted within the development
        4. Types:
        5. Multi-tenant Monument Sign:
           1. Maximum quantity: 1 sign is permitted at the primary entrance to the development
           2. Maximum area:

25 square feet per side

Maximum single tenant area is 5 square feet per side.

* + - * 1. Maximum Height: 4 feet above ground level
        2. Landscaping: The permanent base for a monument sign shall be landscaped as follows:

The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.

The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.

Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.

* + - 1. Wayfinding Signs:
         1. Maximum quantity: 1 per curb cut from a public street into the development
         2. Maximum area: 2 square feet
         3. Maximum Height: 3 feet above ground level
         4. Other Limitations:

Signs shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.

* + 1. **Permanent Wall Sign Standards**
       1. Prerequisites: None.
       2. Maximum Quantity:
       3. Single-tenant structure: 1 sign per façade, maximum 2 signs per building
       4. Multi-tenant structure: 1 sign per tenant, maximum of three separate signs
       5. Maximum Area:
       6. Single-tenant structure: 60 square feet
       7. Multi-tenant structure: 40 square feet per tenant
       8. Maximum Height:
       9. Maximum height of sign is 4 feet.
       10. Sign may not be located more than 16 feet above ground level
       11. Other Limitations:
       12. No part of the sign may protrude more than 8 inches from the wall it is attached.
       13. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
       14. All signs in a multi-tenant structure must be consistent in type (i.e. reverse channel, or box) and be mounted consistently on the façade of the building in order to create a uniform appearance.
    2. **Permanent Window Sign Standards**
       1. Prerequisites: None.
       2. Maximum Quantity:
       3. Single-tenant structure: 2
       4. Multi-tenant structure: 1 per tenant
       5. Maximum Area: 20 square feet
       6. Maximum Height: Maximum height of sign is 4 feet.
       7. Other Limitations: None.
  1. Temporary Signs. The following signs are permitted as temporary signs and are subject to the time, placement, and development standards described for each type of sign respectively. All other types of signs are prohibited.
     1. **Temporary Banner Sign Standards**
        1. Prerequisites: None.
        2. Duration: For the duration of the temporary event, but the event shall not to exceed 7 consecutive days or 14 total days in any calendar year. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        3. Placement: signs must be placed in window or affixed to an entrance door.
        4. Maximum Quantity: 1 per tenant
        5. Maximum Area: 4 square feet
        6. Maximum Height: 7 feet above ground level.
        7. Permit required: Yes. Each new sign or the posting/relocation of an existing sign requires a new permit.
        8. Other Limitations: None.
     2. **Temporary Marker Sign Standards**
        1. Prerequisites:
        2. For agricultural uses only.
        3. Lot must have at least 300 feet of road frontage
        4. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        5. Maximum Quantity: 60 per 300 feet of road frontage.
        6. Maximum Area: 4 square feet per side.
        7. Maximum Height: 8 feet above ground level.
        8. Setback: 10 feet from right-of-way or sidewalk, whichever is farthest
        9. Permit required: no.
        10. Other Limitations: None.

**6. Commercial and Industrial (GC, HC, GI, and LI) Sign Standards**

* + 1. Overall District Sign Regulations

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sign Regulations for Permanent and Temporary Signs in the GC, HC, GI, and LI Districts** | | | | |
| **Cumulative Total of Permanent Signs Permitted on Site** | **Cumulative Total of Temporary Signs Permitted on Site** | **Maximum Cumulative Area for Permanent Signs**  ***(square feet)*** | **Permitted Signs** | **Prohibited Permanent Signs** |
| 1 per 200 feet of road frontage  *(unless otherwise stated by sign type)* | 1 per tenant  *(unless otherwise stated by sign type)* | SINGLE-TENANT STRUCTURE: 200 square feet  MULTI-TENANT STRUCTURE: 100 square feet per tenant | PERMANENT SIGNS:  Awning  Changeable Copy  Hanging  Monument Sign  Mural  Unified Development  Wall Sign  Window  Wayfinding  TEMPORARY SIGNS:  Banner  Marker Sign  Monument Sign | Banner  Bench Sign  Billboard  Electronic  Inflatable  Marker Sign  Off-premise  Pole  Portable  Projecting  Roof  Vehicle |

* + 1. Illumination. All illuminated signs shall comply with the following standards:
       1. No sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion.
       2. All illuminating elements shall be kept in satisfactory working condition and repaired or replaced if damaged or inoperable within fourteen (14) days or as soon as possible if circumstances (e.g. weather or product availability) do not allow.
       3. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways and parking lots.
       4. The light from any illuminated sign shall be so shaded, shielded, or directed such that the light intensity or brightness does not interfere with safety or visibility and does not project onto any adjacent property. No exposed light source is permitted.
       5. Neon light elements may be used for internal illumination and/or when permitted otherwise in this Zoning Ordinance.
  1. Permanent Signs. The following signs are permitted as permanent signs and are subject to the development standards described for each type of sign respectively. All other types of signs are prohibited.
     1. **Permanent Awning Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity: none.
        3. Maximum Area:
        4. Single-tenant structure: 30 square feet
        5. Multi-tenant structure: 20 square feet per tenant
        6. Maximum Height:
        7. Maximum height of sign is 3 feet.
        8. No part of the awning shall be less than 9 feet above ground level
        9. Top of awning sign may not be located more than 15 feet above ground level
        10. Other Limitations: Sign shall not be illuminated by back-lighting.
     2. **Permanent Changeable Copy Sign Standards**
        1. Prerequisites: Must be an integral part of a permanent monument sign.
        2. Maximum Quantity: Per maximum quantity requirements for permanent monument signs and permanent wall signs respectively.
        3. Maximum Area:
        4. Monument sign: May not exceed 80% of the area of the permanent monument sign
        5. Wall sign: Up to 100% of a permanent wall sign.
        6. Maximum Height: Per maximum height for permanent monument signs and permanent wall signs respectively.
        7. Setback: Per setback requirements for permanent monument signs
        8. Landscaping: Per landscaping requirements for permanent monument signs.
        9. Other Limitations:
        10. Only static messages are allowed which are placed text or electronic messages.
        11. No scrolling, flashing, or cyclical changing of electronic messages is permitted.
     3. **Permanent Electronic Sign Standards**
        1. Prerequisites: Must be an integral part of a permanent monument sign.
        2. Maximum Quantity: Per maximum quantity requirements for permanent monument signs and permanent wall signs respectively.
        3. Maximum Area:
        4. Monument sign: May not exceed 80% of the area of the permanent monument sign
        5. Wall sign: Up to 100% of a permanent wall sign.
        6. Maximum Height: Per maximum height for permanent monument signs and permanent wall signs respectively.
        7. Setback: Per setback requirements for permanent monument signs
        8. Landscaping: Per landscaping requirements for permanent monument signs.
        9. Other Limitations:
        10. Only static messages are allowed which are placed text or electronic messages.
        11. No scrolling, flashing, or cyclical changing of electronic messages is permitted.
     4. **Permanent Hanging Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity: 1 per tenant
        3. Maximum Area:
        4. Single-tenant structure: 10 square feet
        5. Multi-tenant structure: 10 square feet per tenant
        6. Maximum Height:
        7. Maximum height of sign is 2 feet.
        8. No part of the sign shall be less than 9 feet above ground level
        9. Top of sign may not be located more than 15 feet above ground level
        10. Other Limitations: Sign shall not be illuminated.
     5. **Permanent Marker Sign Standards**
        1. Prerequisites:
        2. for agricultural uses only
        3. lot must have at least 500 feet of road frontage
        4. Maximum Quantity: 1 sign
        5. Maximum Area: 16 square feet per side
        6. Maximum Height: 12 feet above ground level
        7. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
        8. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
        9. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
        10. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
        11. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
        12. Other Limitations: none.
     6. **Permanent Monument Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity:
        3. Frontage on one public street: 1
        4. Frontage on two or more public streets: 1 per frontage, maximum 2 signs
        5. Maximum Area:
        6. Single-tenant structure: 60 square feet per side
        7. Multi-tenant structure: see Permanent Unified Development Standards below
        8. Maximum Height: 6 feet above ground level
        9. Setback: 10 feet from right-of-way or sidewalk, whichever is farthest
        10. Landscaping: The permanent base for a monument sign shall be landscaped as follows:
        11. The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.
        12. The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.
        13. Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.
        14. Other Limitations: No two signs shall be within 100 feet of one another.
     7. **Permanent Mural Sign Standards**
        1. Prerequisites: None.
        2. Maximum Quantity:
        3. Single-tenant structure: 1 sign per façade, maximum 2 signs per building
        4. Multi-tenant structure: 1 sign per tenant, maximum of three separate signs
        5. Maximum Area:
        6. Single-tenant structure: 65 square feet
        7. Multi-tenant structure: 50 square feet per tenant
        8. Maximum Height:
        9. Maximum height of sign is 4 feet.
        10. Sign may not be located more than 16 feet above ground level
        11. Other Limitations:
        12. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
     8. **Permanent Unified Development Sign Standards**
        1. Prerequisites:
        2. for multi-tenant developments with at least 6 separate tenants and 12,000sqft of space that can be occupied in the building.
        3. these signs are permitted in addition to all other permanent signs permitted within the development
        4. Types:
        5. Multi-tenant Monument Sign:
           1. Maximum quantity: 1 sign is permitted at the primary entrance to the development
           2. Maximum area:

100 square feet per side

Maximum single tenant area is 30 square feet per side.

* + - * 1. Maximum Height: 6 feet above ground level
        2. Landscaping: The permanent base for a monument sign shall be landscaped as follows:

The base of the sign shall be effectively landscaped with living plant material or hardscape material (i.e. decorative brick or rock) and maintained in good condition at all times.

The minimum landscaped area shall be equal to at least 50% of the total sign face area (cumulative of both sides), and extend beyond all faces or supporting structures in all directions. The landscaped area shall include all points where sign structural supports attach to the ground.

Exposed foundations must be covered with a finish material such as brick, stone, or wood, or be screened with vegetation.

* + - 1. Wayfinding Signs:
         1. Maximum quantity: 1 per curb cut from a public street into the development
         2. Maximum area: 4 square feet
         3. Maximum Height: 3 feet above ground level
         4. Other Limitations:

Signs shall contain language or icons to guide pedestrians or motor vehicles into, out of, or around a development.

* + 1. **Permanent Wall Sign Standards**
       1. Prerequisites: None.
       2. Maximum Quantity:
       3. Single-tenant structure: 1 sign per façade, maximum 2 signs per building
       4. Multi-tenant structure: 1 sign per tenant, maximum of three separate signs
       5. Maximum Area:
       6. Single-tenant structure: 90 square feet
       7. Multi-tenant structure: 50 square feet per tenant
       8. Maximum Height:
       9. Maximum height of sign is 6 feet.
       10. Sign may not be located more than 20 feet above ground level
       11. Other Limitations:
       12. No part of the sign may protrude more than 12 inches from the wall it is attached.
       13. No part of the sign may extend above the eaves of the roof or be mounted on the roof.
       14. All signs in a multi-tenant structure must be consistent in type (i.e. reverse channel, or box) and be mounted consistently on the façade of the building in order to create a uniform appearance.
    2. **Permanent Window Sign Standards**
       1. Prerequisites: None.
       2. Maximum Quantity:
       3. Single-tenant structure: 2
       4. Multi-tenant structure: 1 per tenant
       5. Maximum Area: 20 square feet
       6. Maximum Height: Maximum height of sign is 4 feet.
       7. Other Limitations: None.
  1. Temporary Signs. The following signs are permitted as temporary signs and are subject to the time, placement, and development standards described for each type of sign respectively. All other types of signs are prohibited.
     1. **Temporary Banner Sign Standards**
        1. Prerequisites: None.
        2. Duration: For the duration of the temporary event, but the event shall not to exceed 7 consecutive days or 14 total days in any calendar year. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        3. Placement: signs must be placed in window or affixed to an entrance door.
        4. Maximum Quantity: 1 per tenant
        5. Maximum Area: 4 square feet
        6. Maximum Height: 7 feet above ground level.
        7. Permit required: Yes. Each new sign or the posting/relocation of an existing sign requires a new permit.
        8. Other Limitations: None.
     2. **Temporary Marker Sign Standards**
        1. Prerequisites:
        2. For agricultural uses only.
        3. Lot must have at least 300 feet of road frontage
        4. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        5. Maximum Quantity: 60 per 300 feet of road frontage.
        6. Maximum Area: 4 square feet per side.
        7. Maximum Height: 8 feet above ground level.
        8. Setback: 10 feet from right-of-way or sidewalk, whichever is farthest
        9. Permit required: no.
        10. Other Limitations: None.
     3. **Temporary Monument Sign Standards**
        1. Prerequisites: for single-tenant structures only
        2. Duration: For the duration of the temporary event, not to exceed 7 days. The sign may be posted up to 5 days prior to the temporary event and must be taken down within 7 days after the sign’s purpose no longer exists.
        3. Maximum Quantity:
        4. Frontage on one public street: 1
        5. Frontage on two or more public streets: 1 per frontage, maximum 2 signs
        6. Maximum Area: 5 square feet per side.
        7. Maximum Height: 4 feet above ground level.
        8. Setback: 5 feet from right-of-way or sidewalk, whichever is farthest
        9. Permit required: Yes. Each new sign or the posting/relocation of an existing sign requires a new permit.
        10. Other Limitations:
        11. Sign cannot be located on any public sidewalk.
        12. Sign may not be permanently affixed to the ground.
        13. Sign must be at least 15 feet from any other sign on the property
        14. Sign must be at least 80 feet from all other temporary signs on the property.

1. **Storage**
   1. Bulk Storage. In any district, structures, buildings or above ground tanks, used for bulk storage of flammable or explosive liquids, gases or other materials, shall not be located closer than fifty (50) feet to the property line. Additional information regarding evidence of safety measures may be required in order to determine the public safety therein.
   2. Outside Storage. A landscape contractor located in an agricultural district may store equipment and materials used in the business on the property as long as the equipment and non-plant materials are stored in an enclosed structure and no retail sales occur on the property.
2. **Structures**
   1. Primary Structures.
      1. Orientation.
         1. All new construction of any building or structure, or renovation of or addition to an existing building or structure, shall be rear loading if said building or structure is located on a lot or lots adjacent to a major thoroughfare and the building or structure is not separated from the major thoroughfare by another buildable lot. The front elevation of said building or structure shall face the major thoroughfare.
         2. Except as provided in Item 1 above, all new construction of a building or structure, or renovation or addition to an existing building or structure, shall require the front doorway of the building or structure to be oriented to the front elevation of the building or structure which shall face the nearest improved road.
   2. Accessory Structures. Accessory structures shall be permitted in all zoning districts provided the following requirements have been met.
      1. Orientation. Detached garages and secondary structures shall be accepted from being oriented toward a major thoroughfare.
      2. Timing of Construction. Accessory structures shall secure an ILP and shall not be erected prior to the primary structure, except for structures used for agricultural purposes as defined under “agriculture” in Section 10. General Definitions.
      3. Subordination. Accessory structures shall be clearly subordinate in height, area, bulk extent, and purpose to the primary structure.
      4. Permits Not Required. The following accessory structuresare permitted in all districts and may be installed in any required yard without an ILP:
         1. Structures exclusively for agricultural purposes, landscape vegetation, swing sets, children’s tree houses, bird baths, bird houses, curbs, lamp posts, mail boxes, name plates, parking spaces, utility installations for local services, retaining walls, walks, drainage installations, housing for domestic pets provided it is not for profit and does not constitute a “kennel” as defined in Section 10. General Definitions.
         2. Wireless communications facilities are permitted in all districts and may be installed without an ILP provided they are co-located upon an existing or pre-approved wireless communication facility, or they are no taller than fifteen (15) feet and visually integrated or camouflaged against a structure other than another antenna.
      5. Permits Required. The following accessory structures are permitted in all zoning districts and require an ILP certifying that all applicable requirements of the ordinance have been met.
         1. Fences, walls, and hedges may be up to six (6) feet in height and are permitted in any side yard or rear yard. Wooden picket fences shall be built with the structural side, including all structural members, braces, bolts, washers/nuts, etc. facing the interior of the property.
            1. SF District: No fence, wall, or hedge shall be permitted in a required front yard that exceeds three (3) feet in height.
            2. AG, MR, MF, HC, GC, TWN Districts: No fence, wall, or hedge shall be permitted in a required front yard that exceeds six (6) feet in height.
            3. GI and LI Districts: No fence, wall, or hedge shall be permitted in a required front yard that exceeds eight (8) feet in height.
         2. Buildings such as garages, carports, enclosed patios, bath houses, gazebos, cabanas, greenhouses, storage sheds, stables, and other structures over fifty (50) square feet in area.
         3. Home occupation structures in accordance with this ordinance.
         4. Swimming pools subject to a five (5) foot high fence placement around the swimming pool area and/or a mechanical pool cover over the swimming pool. No swimming pool permitted in front yard. This shall not apply to wading pools.
         5. Signs as set forth in this ordinance.
         6. Antennas and amateur radio towers over thirty (30) feet in height measured from the roofline.
   3. Structure Height. All buildings hereafter shall comply with the height regulations of the district in which it is located, with the exception of the following:
      1. An agricultural structure may be erected or changed to any height necessary for its operation.
      2. Spires and church steeples may be erected or changed to any height that is not otherwise prohibited
   4. Structures Relocated. No buildings or structures shall be moved from one lot or premises to another unless such buildings conform to the regulations of the district to which such building shall be moved and an ILP has been secured.
   5. Residential Structures.
      1. Residential Structure Conversions. Structures originally designed for occupancy by two (2) families or less converted to occupancy by more than two (2) families shall secure an ILP. Such structures shall show no evidence of change to indicate the extra dwelling units. All fire escapes or stairways leading to a second or higher floor shall be completely enclosed within the converted building.
      2. Manufactured Homes.
         1. Permanent Placement. Manufactured Homes shall be permitted provided the following requirements and limitations are met:
         2. The manufactured home is built to the Manufactured Home Construction and Safety Standards (HUD Code) and displays a red certification label on the exterior of each transportable section.
         3. The development standards for the respective zoning districts shall be met;
         4. The minimum area of a structure shall conform with the square footage requirements established in Chapter 2: Zoning Districts.
         5. The structure shall be attached and anchored to a permanent foundation in conformance with the appropriate building code and with manufacturer’s installation specifications;
         6. The entire area between the floor joists of the structure and the underfloor grade shall be completely enclosed with a permanent perimeter enclosure constructed in accordance with the terms of the appropriate building code; the manufacturer’s installation specifications; and requirements set forth by the Indiana Administrative Building Council;
         7. The structure shall possess all necessary building, water, and sewage disposal permits prior to placement of the structure upon the lot;
         8. The wheels, axles, and hitches shall be removed;
         9. The structure shall be covered with an exterior material customarily used on site-built structures;
         10. The roof of the structure shall be shingled and pitched, rather than flat;
         11. In areas outside of a manufactured home park, the following standards are established to ensure that the structure is compatible with surrounding conventional construction: (a) A manufactured home shall be no more than seven (7) years of age. (b) A manufactured home shall have a width of no less than eighteen (18) feet unless replacement is permitted as set forth in paragraph (c), below. (c) A manufactured home may be replaced with a manufactured home of equal or larger size upon proper request to the zoning administrator, if, and only if: (1) the replacement manufactured home is no more than seven (7) years of age at the time of replacement, (2) the zoning administrator confirms that the replacement manufactured home meets all other requirements for manufactured homes set forth in the Unified Development Ordinance and/or any other requirements pursuant to state or federal law, and (3) the existing structure is replaced within ninety (90) days of its removal;
         12. A manufactured home or mobile home that is vacant and/or does not have utilities for a period of one (1) year or more shall be deemed as non-compliant and must be removed within ninety (90) days after it is deemed to be noncompliant by the zoning administrator or a representative designated by the zoning administrator.
         13. Temporary Residential Occupancy.
         14. Permitted for Occupancy.
             1. During Construction. In all zoning districts, an ILP may be issued for the temporary occupancy of a manufactured home, to a person intending to build a permanent residence on the property. The ILP for temporary placement and occupancy of the manufactured home is for issued a period of one (1) year and may be renewed for an additional one (1) year period if construction of the dwelling has started but has not been completed.
             2. Health Issue. An ILP may be issued to an applicant whose own health or the health of another necessitates care, and where the facts show that an unnecessary hardship would occur if not permitted to temporarily locate a manufactured home for occupancy adjacent to the residence of someone who is able to provide such care or in need of such care. The ILP would be valid for the lifetime of the person needing care and is renewable annually from the date of issuance.
         15. Regulations. The following regulations shall apply to the temporary occupancy of a manufactured home:
             1. The manufactured home is built to the Manufactured Home Construction and Safety Standards (HUD Code) and displays a red certification label on the exterior of each transportable section.
             2. The structure is to be located on the same property as an existing residence or located on property on which a permanent residence with a valid ILP is intended to be built.
             3. The structure should be served by the same address, water supply, and sewage facilities serving the existing residence or the residence under construction. If the existing residence utilizes a septic system, approval shall be subject to the Orange County Board of Health.
             4. The structure shall remain on its wheels and shall not be placed on a permanent foundation.
             5. Applicable front, side, and rear yard regulations of the district in which it is located are to be observed.
             6. Occupancy of the structure is restricted to immediate family, persons employed in the care of the property owner (employed on the premises of the property owner) or the owner of the property who intends to construct a permanent residence.
             7. The structure used for temporary occupancy shall have a ground floor area greater than five hundred (500) square feet.
             8. The manufactured home shall be tied down as per the requirements of the One and Two-family Dwelling Code or the manufacturer’s recommendation.
             9. The perimeter of the manufactured home shall be completely enclosed except for access and ventilation openings. The perimeter enclosure may consist of skirting materials installed in accordance with the manufacturer’s installation specifications and secured as necessary to provide stability, minimize vibrations, and minimize susceptibility to wind damage and to provide adequate insulation to protect exposed piping. Perimeter enclosures other than skirting shall meet requirements of the One and Two-family Dwelling Code and the requirements set forth by the Indiana Administrative Building Council.
         16. Permanent Residential Occupancy. Manufactured homes may be permanently occupied when located in a district where a single-family dwelling is permitted by right or approved by special exception.
   6. Commercial Structures. Reserved.
   7. Industrial Structures.
      1. Contractor’s Offices. Manufactured homes, trailers, or vans may be utilized as contractor’s offices, watchman’s shelters, or tool and equipment storage on the project site and only during the period of construction. The ILP would be valid for six (6) months and may be renewed for up to an additional six (6) months if necessary if construction has not concluded.
   8. Other Structures.
      1. Trash Receptacles. In any district, non-pedestrian outdoor trash receptacles used for non-agricultural or non-residential uses shall be completely screened from view by the use of either solid fencing or evergreen vegetation. Such receptacles shall not be visible from the street front or any adjacent residential use during any time of the year.
   9. Animal Restrictions. The UDO incorporates the provisions set forth in Title IX, Chapter 90 (Animals), of the Code of Ordinances of the Town of Paoli, Indiana, which may be amended from time to time by the Town Council of the Town of Paoli.

**Paoli Unified Development Ordinance**

**Chapter 4: Use Standards**

1. General
   1. Primary Uses. No building or land shall be used, and no building shall be erected, reconstructed, or structurally altered, which is used for any purpose other than a use which is permitted and specified in a district in which such building or land is located, and which is in accordance with the requirements of this ordinance.
   2. Temporary Uses. Temporary uses shall be permitted in all zoning districts subject to approval by the Administrator provided that the use will not detrimentally affect the health, welfare, safety, or morals of the neighborhood under consideration for such use. Other uses deemed temporary by the BZA are subject to all conditions the BZA may deem necessary.
      1. The following are general provisions that must be met before approval:
      2. The duration of a permit is stated herein, however, the Administrator may renew such permit for a use in thirty (30) day increments if so requested.
      3. Temporary uses shall be subject to all of the regulations of the applicable zoning district.
      4. Adequate access and off-street parking facilities shall be provided.
      5. Public address systems shall not be used in areas of concentrated residential development.
      6. Floodlights and other lighting shall be directed upon the premises and shall not be detrimental to adjoining properties.
      7. Signs shall not flash or blink or resemble traffic and emergency warning signals.
      8. Upon termination, the lot shall be put in a clean condition devoid of trash and remnants of the temporary use.
      9. The following are permitted temporary uses subject to the issuance of an ILP and a Certificate of Occupancy.
2. Temporary office,
3. Model home, or
4. Model apartment
   * 1. The following are permitted temporary uses subject to the issuance of an ILP.
5. Incidental signs on the same property, necessary for the sale, rental, or lease of property.
6. Announcement signs necessary to explain the character of a building enterprise for a maximum of eighteen (18) months.
7. Manufactured homes or mobile homes as emergency shelters when needed until construction or emergency ends.
8. Other uses deemed temporary by the BZA are subject to all conditions the BZA may deem necessary.
   * 1. The following are permitted temporary uses that do not require an ILP or Certificate of Occupancy.
9. Parking area designated for a special event for a maximum of thirty (30) days.
10. Development Standards for Specific Uses
    1. **Cemetery or Crematory**
       1. Minimum Lot Area.
11. Minimum Lot Area: 5 acres
12. A lot on which the restricted use is located may not be smaller in area than the area prescribed for that use.
    * 1. Setbacks.
13. Minimum Front Setback: The minimum front setback for the zoning district shall apply.
14. Minimum Side Setback: The minimum side setback for the zoning district shall apply.
15. Minimum Rear Setback: The minimum rear setback for the zoning district shall apply.
16. Setbacks for the restricted use shall include necessary bufferyards. If a setback is not listed, then the standard setback and bufferyard for the zoning district shall apply.
    * 1. Separation from Residential Districts.
17. Minimum Distance from a Residential District: The standard building setback for the zoning district shall apply.
18. The restricted use may not be located closer to residential districts than the distance shown, which will include necessary bufferyards. Similarly, residential development shall not be placed closer than the distance shown.
    * 1. Landscaping and Bufferyards.
19. Required Bufferyards.
20. Minimum Bufferyard Required: The standard landscaping and bufferyard requirement for the zoning district shall apply.
21. The restricted use shall provide the bufferyards required at the discretion of the PPC or BZA and shall meet the size requirements specified within five (5) years after installation.
22. Bufferyards Abutting Residential Uses.
23. Minimum Bufferyard Required: Bufferyard E + Fence F2
24. Bufferyards shall be installed to block the specific restricted use from adjacent residential uses. Screen plantings shall be effective during all seasons and shall meet the size requirements specified within five (5) years after installation. A Variance may be granted from the requirements of this section by the BZA.
    * 1. Access to Primary or Secondary Streets.
25. Maximum Number of Entrances: 2
26. This standard does not apply to entrances for emergency use only.
27. As used in this section the term “entrance” means a passageway generally thirty (30) feet wide from a premises to a thoroughfare by which vehicles enter or leave.
    1. **Confined Feeding Operations**
       1. Minimum Lot Area.
28. Minimum Lot Area: The standard minimum lot area for the zoning district shall apply.
29. A lot on which the restricted use is located may not be smaller in area than the area prescribed for that use.
    * 1. Setbacks.
30. Minimum Front Setback: The minimum front setback for the zoning district shall apply.
31. Minimum Side Setback: The minimum side setback for the zoning district shall apply.
32. Minimum Rear Setback: The minimum rear setback for the zoning district shall apply.
33. Setbacks for the restricted use shall include necessary bufferyards. If a setback is not listed, then the standard setback and bufferyard for the zoning district shall apply.
    * 1. Separation from Residential Districts.
34. Minimum Distance from a Residential District: 1,320 feet or 0.25 miles
35. The restricted use may not be located closer to residential districts than the distance shown, which will include necessary bufferyards. Similarly, residential development shall not be placed closer than the distance shown.
    * 1. Landscaping and Bufferyards.
36. Required Bufferyards.
37. Minimum Bufferyard Required: The standard landscaping and bufferyard requirement for the zoning district shall apply.
38. The restricted use shall provide the bufferyards required at the discretion of the PPC or BZA and shall meet the size requirements specified within five (5) years after installation.
39. Bufferyards Abutting Residential Uses.
40. Minimum Bufferyard Required: The standard landscaping and bufferyards requirement for the zoning district between residential uses shall apply.
41. Bufferyards shall be installed to block the specific restricted use from adjacent residential uses. Screen plantings shall be effective during all seasons and shall meet the size requirements specified within five (5) years after installation. A Variance may be granted from the requirements of this section by the BZA.
    * 1. Access to Primary or Secondary Streets.
42. Maximum Number of Entrances: The number of entrances is not restricted.
43. This standard does not apply to entrances for emergency use only.
44. As used in this section the term "entrance" means a passageway generally thirty (30) feet wide from a premises to a thoroughfare by which vehicles enter or leave.
    1. **Home Occupations**
       1. Home Occupations. A home occupation shall be permitted when said occupation conducted on residentially used premises is considered customary and traditional, incidental to the principal use of the premises as a residence, and not construed as a business. Permitted home occupations shall not adversely affect the residential character of the district or interfere with the reasonable enjoyment of adjoining properties. Permitted home occupations shall be of a personal service nature limited to domestic crafts and professional service.

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| --- | --- |
| Permitted Types of Home Occupations | |
| Permitted Uses | Domestic crafts, dressmaking, millinery, sewing, weaving, tailoring, ironing, washing, custom home furnishings work, carpentry work, furniture repair, hair grooming. |
| Permitted Uses, but limited to advice and consultation | Law, medicine, architecture, engineering, accounting, planning, real estate, insurance, notary public, manufacturer’s agent, clergy, writing, music, painting, photography, academic tutoring, outdoor instructional studio for 1 student at a time. |
| Prohibited Uses | Real estate office, insurance office, clinic, doctor’s office, dress shop, millinery shop, funeral home, bed and breakfast, outdoor instructional studios for more than 1 student at a time, day care center, animal hospital, kennel, trailer rental, and all uses associated with vehicle dealers, repair, and services. |

* + 1. Standards.

1. The primary use of the primary structure or dwelling unit shall remain residential and the operator of the home occupation shall remain a resident in the dwelling unit.
2. A home occupation and all activities and materials related to such occupation may be permitted in a single accessory structure provided that such structure is subordinate to the primary residence in terms of height, setback, area, and bulk and compatible with the primary residence in terms of materials.
3. The operator conducting the home occupation shall be the sole entrepreneur, and he shall not employ any other person other than a member of the immediate family residing in the residence and one (1) non-family member.
4. No structural additions, enlargements, or exterior alterations changing the residential appearance to a business appearance shall be permitted.
5. No more than twenty-five percent (25%) of the floor area of any one (1) story of the dwelling unit shall be devoted to such home occupation.
6. Outside storage of machinery, equipment, or materials shall not be permitted.
7. No additional and separate entrance incongruent with the residential structural design shall be constructed for the purpose of conducting the home occupation.
8. No provision for more than two (2) extra off-street parking or loading facilities, other than the requirements and permitted facilities of the zone district, shall be permitted. No part of a minimum required setback distance shall be used for off-street parking or loading facilities, and no additional driveway to serve such home occupations shall be permitted.
9. No display of goods or external evidence of the home occupation shall be permitted, except for signs in accordance with Section 3.E. Signs.
10. No stock in trade or commodities, other than those prepared, produced, or created on the premises by the operator of the home occupation, shall be kept or sold on the premises.
11. No electrical or mechanical equipment shall interfere with local radio communications and television reception, or cause fluctuation in line voltage off the premises.
    1. **Junk Yard**
       1. Minimum Lot Area.
12. Minimum Lot Area: 10 acres
13. A lot on which the restricted use is located may not be smaller in area than the area prescribed for that use.
    * 1. Setbacks.
14. Minimum Front Setback: 100 feet
15. Minimum Side Setback: 100 feet
16. Minimum Rear Setback: 100 feet
17. Setbacks for the restricted use shall include necessary bufferyards. If a setback is not listed, then the standard setback and bufferyard for the zoning district shall apply.
    * 1. Separation from Residential Districts.
18. Minimum Distance from a Residential District: 1,320 feet or 0.25 miles
19. The restricted use may not be located closer to residential districts than the distance shown, which will include necessary bufferyards. Similarly, residential development shall not be placed closer than the distance shown.
    * 1. Landscaping and Bufferyards.
         1. Required Bufferyards.
20. Minimum Bufferyard Required: Bufferyard E + Fence F2
21. The restricted use shall provide the bufferyards required at the discretion of the PPC or BZA and shall meet the size requirements specified within five (5) years after installation.
    * + 1. Bufferyards Abutting Residential Uses.
22. Minimum Bufferyard Required: The standard landscaping and bufferyards requirement for the zoning district between residential uses shall apply.
23. Bufferyards shall be installed to block the specific restricted use from adjacent residential uses. Screen plantings shall be effective during all seasons and shall meet the size requirements specified within five (5) years after installation. A Variance may be granted from the requirements of this section by the BZA.
    * 1. Access to Primary or Secondary Streets.
         1. Maximum Number of Entrances: 1
         2. This standard does not apply to entrances for emergency use only.
         3. As used in this section the term "entrance" means a passageway generally thirty (30) feet wide from a premises to a thoroughfare by which vehicles enter or leave.
    1. **Kennels**
       1. Minimum Lot Area.
24. Minimum Lot Area: 3 acres
25. A lot on which the restricted use is located may not be smaller in area than the area prescribed for that use.
    * 1. Setbacks.
26. Minimum Front Setback: The minimum front setback for the zoning district shall apply.
27. Minimum Side Setback: The minimum side setback for the zoning district shall apply.
28. Minimum Rear Setback: The minimum rear setback for the zoning district shall apply.
29. Setbacks for the restricted use shall include necessary bufferyards. If a setback is not listed, then the standard setback and bufferyard for the zoning district shall apply.
    * 1. Separation from Residential Districts.
30. Minimum Distance from a Residential District: The standard building setback for the zoning district shall apply.
31. The restricted use may not be located closer to residential districts than the distance shown, which will include necessary bufferyards. Similarly, residential development shall not be placed closer than the distance shown.
    * 1. Landscaping and Bufferyards.
32. Required Bufferyards.
33. Minimum Bufferyard Required: The standard landscaping and bufferyard requirement for the zoning district shall apply.
34. The restricted use shall provide the bufferyards required at the discretion of the PPC or BZA and shall meet the size requirements specified within five (5) years after installation.
35. Bufferyards Abutting Residential Uses.
36. Minimum Bufferyard Required: Bufferyard E + Fence F2
37. Bufferyards shall be installed to block the specific restricted use from adjacent residential uses. Screen plantings shall be effective during all seasons and shall meet the size requirements specified within five (5) years after installation. A Variance may be granted from the requirements of this section by the BZA.
    * 1. Access to Primary or Secondary Streets.
38. Maximum Number of Entrances: 1
39. This standard does not apply to entrances for emergency use only.
40. As used in this section the term "entrance" means a passageway generally thirty (30) feet wide from a premises to a thoroughfare by which vehicles enter or leave.
    1. **Mobile Home Park**
       1. Minimum Lot Area.
          1. Minimum Lot Area: 5 acres for the entire park project.
          2. A lot on which the restricted use is located may not be smaller in area than the area prescribed for that use.
       2. Setbacks.
          1. Minimum Front Setback: The minimum front setback for the zoning district shall apply.
          2. Minimum Side Setback: The minimum front setback for the zoning district shall apply.
          3. Minimum Rear Setback: The minimum front setback for the zoning district shall apply.
          4. Setbacks for the restricted use shall include necessary bufferyards. If a setback is not listed, then the standard setback and bufferyard for the zoning district shall apply.
       3. Separation from Residential Districts.
          1. Minimum Distance from a Residential District: The standard building setback for the zoning district shall apply.
          2. The restricted use may not be located closer to residential districts than the distance shown, which will include necessary bufferyards. Similarly, residential development shall not be placed closer than the distance shown.
       4. Landscaping and Bufferyards.
          1. Required Bufferyards.
41. Minimum Bufferyard Required: The standard landscaping and bufferyard requirement for the zoning district shall apply.
42. The restricted use shall provide the bufferyards required at the discretion of the PPC or BZA and shall meet the size requirements specified within five (5) years after installation.
    * + 1. Bufferyards Abutting Residential Uses.
43. Minimum Bufferyard Required: The standard landscaping and bufferyards requirement for the zoning district between residential uses shall apply.
44. Bufferyards shall be installed to block the specific restricted use from adjacent residential uses. Screen plantings shall be effective during all seasons and shall meet the size requirements specified within five (5) years after installation. A Variance may be granted from the requirements of this section by the BZA.
    * 1. Access to Primary or Secondary Streets.
         1. Maximum Number of Entrances: The number of entrances is not restricted.
         2. This standard does not apply to entrances for emergency use only.
         3. As used in this section the term "entrance" means a passageway generally thirty (30) feet wide from a premises to a thoroughfare by which vehicles enter or leave.
      2. Performance Standards. Mobile homes may be permanently occupied when located in a mobile home park. Such mobile home parks require Development Plan approval and shall be developed in accordance with the requirements of this ordinance. Mobile homes for permanent occupancy shall have the following requirements:
         1. The placement of any mobile home requires an ILP.
         2. No electric lines shall pass over any mobile home.
         3. All mobile homes shall be skirted prior to being occupied.
         4. When applicable by the terms of this ordinance, accessory structures for storage on individual sites are subject to all applicable setback requirements and require an ILP.
         5. Driveways shall be provided on the site where necessary for convenient access to service entrances of buildings, to delivery and collection points for refuse and other material, and elsewhere as needed.
         6. Resident parking shall be provided either on the trailer site or in common parking facilities, and shall be designed so as not to interfere with pedestrian walkways and to allow adequate space for visitor parking either along the street or in common parking areas.
         7. Walkways
45. Where possible, walkways leading to frequently used public facilities should be through interior areas removed from the vicinity of streets. Public pedestrian sidewalks should be at least four (4) feet in width and paved with a suitable material for use in all weather conditions.
46. Individual walkways shall be provided from a public walkway, street, or parking area to the individual mobile home stands. These walkways shall be at least eighteen (18) inches in width and should be paved with a suitable material for use in all weather conditions.
    * + 1. Covenants. Covenants shall be submitted and recorded with the Development Plan approval of the Mobile Home Park. Such covenants must contain/address the following:
47. The Mobile Home Park owner shall furnish each occupant of a mobile home site with a copy of the recorded Covenants.
48. The placement or replacement of each mobile home shall be in accordance with and shall follow the procedures set forth by the Unified Development Ordinance.
49. When applicable by the terms of this ordinance, accessory structures are subject to all applicable site setbacks and require an ILP.
50. It shall be the responsibility of the Mobile Home Park owner to see that all sites and open spaces are kept in a neat and orderly condition at all times.
51. In order not to impede safety vehicles, no on-street parking of boats, trailers, semi-trucks, etc. shall be permitted.

**Paoli Unified Development Ordinance**

**Chapter 5: Zoning Administration & Procedures**

1. **Ordinance Administration**
   1. The provisions of this ordinance shall be administered and enforced by the Administrator of the PPC. The Administrator may be assisted by the staff of the PPC or others when needed. The Administrator shall have final authority on all matters of administration and enforcement subject to the guidance of the PPC and BZA. Appeal from the decisions of the Administrator may be made to the BZA. Recourse from the decision of the BZA shall be to the courts through procedures provided by law.
2. **The Plan Commission**
   1. Establishment.
      1. The PPC is established, with membership as provided by IC 36-7-4-200 Series.
   2. Organization.
      1. At the first meeting of the calendar year, the PPC shall elect from among its members a President and a Vice-president as per established Rules and Procedures. Consistent with State law, it may appoint and fix the compensation of a secretary and such employees, as it considers necessary to discharge its duties.
   3. Rules and Procedures.
      1. The PPC shall supervise and make rules for the administration of the affairs of the PPC and prescribe uniform rules pertaining to investigations and hearings.
   4. Meetings and Records.
      1. The PPC, or Plat Committee as appropriate, shall hold a public hearing after the receipt of an application for a Change of Zoning, Minor Plat, Primary Plat, or a Secondary Plat from the applicant or their agent in accordance with the adopted Rules and Procedures. The PPC shall hold a public meeting after the receipt of an application for a Development Plan from the applicant or their agent in accordance with the established Rules and Procedures. Meetings of the PPC shall be open to the public. Before holding the required public hearing or meeting, the application must be in compliance with the established Rules and Procedures.
   5. Powers and Duties.
      1. Subdivisions. The PPC and Plat Committee as appropriate shall render decisions regarding subdivisions in accordance with the Subdivision Control Ordinance and Rules and Procedures.
      2. Development Plans. The PPC shall render decisions regarding Development Plans in accordance with Section IX. Review and Approval of Development Plans.
      3. Proposals to Change the Zone Maps Incorporated into the Ordinance. The following procedure applies to a proposal to change the zone maps (whether by incorporating an additional map or by amending or deleting a map) incorporated by reference into this Zoning Ordinance consistent with applicable state law.
         1. In considering the proposal, both the PPC and the Town Council shall pay reasonable regard to:
            1. the Comprehensive Plan; current conditions and the character of current structures and uses in each district;
            2. the most desirable use for which the land in each district is adapted;
            3. the conservation of property values throughout the Jurisdictional Area; and
            4. responsible development and growth.
         2. The PPC shall give notice and hold a public hearing on the proposal in accordance with its Rules and Procedures.
         3. Whenever the PPC deems it advisable they may permit or require the owner of a parcel of real property to make a commitment subject to the rules prescribed for commitments in this section. By permitting or requiring a commitment, the PPC does not become obligated to recommend or not recommend the adoption of the proposal.
         4. Within ten (10) business days after the PPC determines its recommendation, the PPC shall certify the proposal to the appropriate legislative body with a favorable recommendation, an unfavorable recommendation, or no recommendation from the PPC.
         5. The appropriate legislative body shall vote on the proposal within ninety (90) days after the PPC certifies the proposal. The appropriate legislative body’s consideration of the proposal is governed by IC 36-7-4-608.
         6. During the time when the proposal is being considered by the appropriate legislative body, the owner of a parcel of land may make a new commitment or modify the terms of a commitment made when the proposal was before the PPC. No further action of the PPC is required for a new commitment to be effective. If a commitment made when the proposal was before the PPC is modified and the effect of the modification is to make the Commitment more stringent, no further action of the PPC is required for the modified commitment to be effective. However, if the effect of such a modification is to make the commitment less stringent, then the modified commitment must be ratified by the PPC to be effective. A commitment made or modified under this provision is subject to the rules prescribed for commitment in this section.
         7. If the proposal is adopted, the PPC shall update the zone maps that it keeps available with the Zoning Ordinance and the town’s Code of Ordinances.
         8. Unless the proposal provides for a later effective date, the updated zone maps contained in the proposal take effect when the proposal is duly adopted.
      4. Proposals to Amend or Partially Repeal the Text of the Ordinance. The following procedure applies to a proposal to amend or partially repeal the text (not zone maps) of this Unified Development Ordinance.
         1. In considering the proposal, both the PPC and the Town Council shall pay reasonable regard to:
            1. the Comprehensive Plan;
            2. current conditions and the character of current structures and uses in each district;
            3. the most desirable use for which the land in each district is adapted;
            4. the conservation of property values throughout the Jurisdictional area; and
            5. responsible development and growth.
         2. The PPC shall give notice and hold a public hearing on the proposal in accordance with its Rules and Procedures. The PPC, in its discretion, may also give notice and hold hearings at other places within the town’s jurisdiction where the distribution of the population or diversity of interests of the people indicate that such hearings would be desirable.
         3. Within ten (10) business days after the PPC determines its recommendation, the PPC shall certify the proposal to the Town Council with a favorable recommendation, an unfavorable recommendation, or no recommendation from the PPC.
         4. The Town Council shall vote on the proposal within ninety (90) days after the PPC certifies the proposal. The Town Council’s consideration of the proposal is governed by IC 36-7-607.
         5. If the proposal is adopted, the PPC shall publish the amendments to the Zoning Ordinance in book or pamphlet form.
         6. Unless the proposal provides for a later effective date, the amendments contained in the proposal take effect when the proposal is duly adopted, except for any provision prescribing a penalty or forfeiture for a violation, which may not take effect until the PPC complies with the applicable notice and filing requirements described in IC 36-7-4-610.
         7. Verification of Petition. The Administrator shall verify the completeness of the application and the date of verification shall be noted on the application.
      5. Adoption or Amendment of the Comprehensive Plan.
         1. Adoption or amendment of the Comprehensive Plan shall be in accordance with Indiana Planning Law and established Rules and Procedures.
         2. The PPC shall give notice and hold public hearings in accordance with State Law. At least ten (10) days prior to the date set for the first hearing, the PPC shall publish a schedule of all such meetings in accordance with its Rules and Procedures.
      6. Rules Governing Commitments.
         1. Form. A Commitment must be substantiated by the form set forth in the PPC’s Rules and Procedures, and must identify any specially affected persons or class of specially affected persons who may enforce the Commitment. A commitment must authorize its recording by the Administrator in the Office of the Orange County Recorder.
         2. Recording: Copies. A commitment shall be recorded in the Office of the Orange County Recorder and takes effect upon the adoption of the proposal to which it relates. Following the recording of a commitment, the Applicant shall return a copy of the original recorded commitment to the Administrator for PPC’s file.
         3. Persons Bound. Unless it is modified or terminated by the PPC in accordance with this section, a recorded commitment is binding on the owner of the parcel, a subsequent owner of the parcel, and any other person who acquires interest in the parcel. An unrecorded commitment is binding on the owner of the parcel who makes the commitment. An unrecorded commitment is binding on a subsequent owner of the parcel or a person acquiring an interest in the parcel only if the subsequent owner or the person acquiring the interest has actual notice of the commitment.
      7. Modification or Termination by PPC. Except for a commitment modified or automatically terminated in accordance with this section, a commitment may be modified or terminated only by a decision of the PPC made at a public hearing after notice of the hearing has been given under the PPC’s Rules and Procedures.
      8. Reconsideration of Proposals. The PPC may adopt a rule to limit further consideration, for up to one (1) year after its defeat, of any proposal that is defeated under IC 36-7-4-608 or IC 36-7-4-1512. The PPC may also adopt a rule to limit consideration, for up to six (6) months after the withdrawal or defeat of any proposal, of any other proposal involving the same property that was the subject of the withdrawn or defeated proposal.
3. **The Board of Zoning Appeals**
   1. Establishment.
      1. The Area BZA is established, with membership as provided by IC 36-7-4-902(d).
   2. Organization.
      1. At the first meeting of the calendar year, the BZA shall elect from among its members a Chairman and a Vice-chairman as per established Rules and Procedures. Consistent with Indiana Planning Law, it may appoint and fix the compensation of a secretary and such employees, as it considers necessary to discharge its duties.
   3. Rules and Procedures.
      1. The BZA shall supervise and make rules for the administration of the affairs of the BZA and prescribe uniform rules pertaining to investigations and hearings.
   4. Meetings and Records.
      1. The BZA shall hold a public hearing after the receipt of an application for a Variance, Special Exception, or appeal from an applicant or their agent in accordance with the established Rules and Procedures. Before holding the required public hearing, applicant must act in accordance with the established Rules and Procedures. Meetings of the BZA shall be open to the public. Minutes and records shall be filed in the office of the BZA and made available to the public upon request. A majority of the members of the BZA shall constitute a quorum. No action of the BZA is official unless concurred by a majority of the membership of the BZA.
   5. Powers and Duties.
      1. Variance. The BZA shall authorize in specific cases such variances from the terms of this ordinance as will not be contrary to the public interest, where owing to special conditions fully demonstrated on the facts presented, a literal enforcement of this ordinance will result in an unnecessary hardship, and so that the spirit of this ordinance shall be observed and substantial justice done. The BZA may grant a Variance with respect to specific property if, after a hearing, the BZA finds that such variance is warranted per Indiana Planning Law.
         1. The BZA shall not grant a Variance from a use district or classification.
         2. When in the public interest, the Administrator may consider and render decisions on applications involving minor deviations from the provisions of the ordinance, limited to the following:
            1. Lot area requirements may be reduced by not more than ten percent (10%) of that required in the district.
            2. Yard requirements may be reduced by permitting portions of a building or structure to extend into and occupy not more than ten percent (10%) of the area of a required yard.
            3. Maximum building heights may be increased by not more than ten percent (10%).
         3. The following standards shall apply for evaluating Variances as established by IC 36-7-4-918.5:
            1. The variance will not be injurious to the public health, safety, morals, and general welfare of the community.
            2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
            3. The strict application of the terms of the Ordinance will continue the unusual and unnecessary hardship as applied to the property for which the variance is sought because.
      2. Special Exception. The BZA shall hear and determine Special Exceptions to the terms of this ordinance upon which the BZA is required to act. The BZA may require that impact studies be performed at the expense of the applicant prior to deciding upon said Special Exception.
         1. The Special Exceptions listed in the districts (see Table 2, Authorized Uses), and their accessory buildings and uses may be permitted by the BZA in the districts indicated therein, in accordance with the procedures set forth in this section. Uses listed as Special Exceptions in the Conservation district must be approved by the Indiana Department of Natural Resources (IDNR) prior to application for Special Exception by the BZA.
         2. Upon receipt of an application for a Special Exception, the Administrator may refer the application to the PPC for investigation as to the manner in which the proposed location and character of the Special Exception will affect the Comprehensive Plan. The PPC shall report the results of its study to the BZA within ninety (90) days following receipt of the application. If no such report is filed with the BZA within the time period, or, if no report is requested by the Administrator, then the BZA shall proceed to process the application. The BZA shall then proceed with a hearing on the application in the manner prescribed in this ordinance. Following the hearing, and upon an affirmative finding by the BZA that the applicant meets the requirements and criteria established by Indiana Planning Law and this ordinance, the applicant may apply for an ILP.
         3. An existing use which is listed herein as a Special Exception, and which is located in a district in which such Special Exception may be permitted, is a conforming use. Any expansion of the Special Exception involving the enlargement of the buildings, structures, or land area devoted to such use shall be subject to the procedures described in this section.
         4. The following standards shall apply for evaluating Special Exceptions as established by IC 36-7-4-918.2:
            1. The establishment, maintenance, or operation of the Special Exception will not be detrimental to or endanger the public health, safety, morals, or general welfare.
            2. The Special Exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
            3. The establishment of the Special Exception will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.
            4. Adequate utilities, access road, drainage, and other necessary facilities have been or are being provided.
            5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public roadways.
            6. The Special Exception will be located in a district where such use is permitted and all other requirements set forth in the Ordinance that are applicable to such use will be met.
      3. Variances of Use. The BZA shall hear and determine Variances of Use to the terms of this ordinance upon which the BZA is required to act.
         1. The following standards shall apply for evaluating Variances of Use as established by IC 36-7-4-918.4:
            1. the approval will not be injurious to the public health, safety, morals, and general welfare of the community;
            2. the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
            3. the need for the variance arises from some condition peculiar to the property involved;
            4. the strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
            5. the approval does not interfere substantially with the comprehensive plan adopted under the 500 series of this chapter.
      4. Uses Not Listed. It is recognized that in the development of a Zoning Ordinance, not all uses of land can be listed, nor can all future uses be anticipated. A use may have been omitted from the list of those specified as permissible in the various districts established by this ordinance, or questions may arise concerning words that are synonymous. The applicant shall file a request for a decision by the BZA. The BZA may also initiate an application. The BZA shall render a decision after such application is made, and shall notify the applicant and any person requesting such notice of such decision. In such instances the following procedures shall apply:
         1. Existing Conditions. In classifying a use, the BZA shall first make a finding that all of the following conditions exist:
            1. That investigations have disclosed that the subject use and its operations are compatible with the uses permitted in the district wherein it is proposed to be located;
            2. That the subject use is similar to one (1) or more uses permitted in the district within which it is proposed to be located;
            3. That the subject use will not cause substantial injury to the values of property in the neighborhood or district within which it is proposed to be located; and
            4. That the subject use will be so designed, located, and operated that the public health, safety, and general welfare will be protected.
         2. Classification. The BZA shall classify such use as to permitting such use by right, or permitting such use subject to Special Exception.
            1. When classification of use is appealed or referred to the BZA, it shall be the duty of the BZA to ascertain all pertinent facts concerning said use and set forth in writing its findings and the reasons for designating a specific classification for such use.
            2. Limitations in Power to Classify. In no instance shall the BZA determine that a use be permitted in a district when such use is specifically listed as first permissible in a less restricted district.
            3. Effect of Determination. Uses classified pursuant to this section shall be regarded as listed uses. The Administrator shall maintain in the office of the PPC an up-to-date list of all such classifications that have been made.
            4. Should the BZA determine that a use cannot be classified, then the use shall be considered appropriate only within a PUD district.
      5. Appeals. The BZA shall hear and determine appeals from and review any order, requirement, decision or determination made by the Administrator in the enforcement of this ordinance. In exercising its powers the BZA may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed and to that end shall have all of the powers of the Administrator from whom the appeal is taken. The BZA shall fix a reasonable time for the hearing of an appeal. Public notice shall be given of the hearing and due notice shall be given additionally to the affected parties as determined by the BZA. The BZA must require the party taking the appeal to assume the cost of public notice and due notice to interested parties.
         1. When an appeal from the decision of any official or board has been filed with the BZA, all proceedings, operation, and work on the premises concerned shall be stayed, unless the official or board from whom the appeal was taken shall certify to the BZA that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order, which may be granted by a circuit or superior court of the county in which the premises affected are situated, on notice to the office or board from whom the appeal is taken and the owner of the premises affected, and on due cause shown.
         2. Every decision of the BZA shall be subject to review by certiorari. Any person aggrieved by a decision of the BZA, may present to the circuit or superior court of the county in which the premises affected are located, a petition duly verified, setting forth that such decision is illegal in whole or in part, and specifying the grounds of the illegality. The petition shall be presented to the court within thirty (30) days after the entry of the decision or order of the BZA complained of. No change of venue from the county in which the premises affected are located shall be had in any cause arising under the provisions of this section.
4. **Development Plans**
   1. Development Plan Review Required. With the exception of single-family residential development, any new development or an addition to an existing structure requires Development Plan review.
      1. Development Plan Review by the PPC. At a public meeting, the PPC shall review Development Plans for:
         1. new development; and
         2. additions to existing primary structures that increase the total square footage by 30% or more.
      2. Administrative Development Plan Review by Staff. Staff shall administratively review Development Plans for:
         1. additions to existing primary structures that increase the total square footage by less than 30%; and
         2. accessory structures.
   2. Approval Process.
      1. Development Plan Application. The applicant shall complete and submit a Development Plan application for review and consideration by the PPC in accordance with the appropriate application form adopted by the PPC as part of its Rules and Procedures.
         1. The PPC, acting as a committee of the whole, shall hold a public meeting relating to the application in accordance with its Rules and Procedures.
         2. At the public meeting, the PPC shall review the particular circumstances and facts applicable to the proposed project in terms of the standards and requirements as detailed of the Zoning Ordinance and shall make a determination as to whether the proposed project meets the standards set forth below:
            1. Compatibility of the development with surrounding land uses.
            2. If the application is consistent with the comprehensive plan.
            3. Availability and coordination of water, sanitary sewers, storm water drainage, and other utilities.
            4. Management of traffic in a manner that promotes conditions favorable to health, safety, convenience, and the harmonious development of the community. This development requirement shall ensure that the:

Design and location of the proposed street and highway access points minimize safety hazards and congestion.

Capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

Entrances, streets, and internal traffic circulation facilities in the Development Plan are compatible with existing and planned streets and adjacent developments.

The safety and convenience of both vehicular and pedestrian circulation on-site, with appropriate tie-ins to adjacent public circulation systems.

Adequate accessibility for emergency vehicles.

* + - * 1. Specific development requirements set forth in the Zoning Ordinance and the development requirements and technical design standards set forth in the Subdivision Control Ordinance.
        2. The location and design of driveways providing vehicular ingress to and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic.
        3. The arrangement of uses on the site in relation to functional, efficient, and compatible arrangements with the site and also to adjacent uses.
        4. The PPC may further require landscaping, fences, and walls in pursuance of these objectives and they shall be provided and maintained as a condition of the establishment and continued maintenance of any use to which they are appurtenant.
        5. The cost estimates as required in this section may be reviewed by the appropriate County officials, Town officials and/or consultants. These reviews and recommendations shall be forwarded to the PPC for the inclusion in any approved Development Plan.
        6. The PPC may waive Development Plan information for topography, vegetation, problem soils, landscaping, employment data, environmental considerations, etc., when such concerns are obviously not pertinent to the proposed development.
        7. The PPC may seek and consider the input from any public officials, public bodies, and/or outside consultants as part of the Development Plan review process, prior to approving, disapproving, or approving with conditions, the Development Plan.
      1. Consideration. If after the public meeting and subsequent review of this project, the PPC, acting as a committee of the whole, finds that the proposed development meets the standards set forth in this ordinance necessary for approval, the PPC shall grant the applicant Development Plan approval. The Development Plan(s), all supplementary data, together with minutes of any meetings and/or hearings related to the applications shall become part of the official Development Plan file.
      2. Direct Appeal to the Full Commission. If the applicant or any other interested person is aggrieved or adversely affected by a non‐final zoning decision made by the Committee of the Whole as described above, then the applicant or interested person may appeal the non‐final decision directly to the PPC. An applicant or interested person who wishes to appeal a non-final zoning decision must file the appeal not later than five (5) days after the date the decision is made, and the PPC shall then hold a public hearing and render a final decision on the application in accordance with its Rules and Procedures. If no appeal of a non‐final decision is filed within five (5) days after the date the decision is made, then that decision shall be considered as duly approved by the full PPC and treated as a final zoning decision, upon the later of either:
         1. ten (10) days after the date the non‐final decision was made; or
         2. compliance by the applicant with any requirements imposed pursuant to Section IX.C Performance Guarantees below.
  1. Performance Guarantees. To ensure compliance with all Development Plan standards and any conditions imposed thereunder, the PPC may require that a cash certified check, irrevocable bank letter of credit, or surety bond acceptable to the town, equaling one hundred ten percent (110%) of the PPC’s estimated cost of improvements associated with a project for which Development Plan approval is sought, be deposited with the Town to ensure faithful completion of the improvements and also be subject to the following:
     1. The performance guarantee shall be deposited prior to the onset of any construction, clearing of land or earth moving related to the Development Plan. The Town may establish procedures whereby a rebate of any cash deposits in reasonable proportion to the ration of work completed on the required improvements will be make as work progresses. Any partial release of funds shall be less than ten percent (10%), which shall be retained by the Town until all work has been completed and subsequently inspected and approved by the Town or its agents. This does not relieve the applicant from satisfying all applicable maintenance warranties and/or guarantees necessary to ensure proper functioning of said public improvements.
     2. As used in this section, “improvements” mean those features and actions associated with a project, which are considered necessary by the PPC, to protect natural resources, or the health, safety, and welfare of the residents of the Town and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, landscaping, and surface drainage, Improvements do not include the entire project, which is the subject of Development Plan approval.

1. **Improvement Location Permits**
   1. Applicability.
      1. The Administrator, or their agent, shall be responsible for the issuance of all ILP’s for any alteration to the condition of land, or structures thereon, with the jurisdictional area of the PPC. Any persons making said alterations must obtain an ILP for said alterations from the Administrator prior to the start of any construction
      2. The filing fee for an ILP is shown on the Fee Schedule, which is hereby established as a part of this section.
   2. Permit Application. The necessary information for an ILP shall be submitted on the appropriate application form adopted by the PPC.
      1. As a condition of issuing an ILP, the Administrator or their agent, may require the relocation of any structure or any entrance or exit, or the inclusion of an entrance or exit not shown on the plan, if the requirement is necessary in the interest of public welfare.
      2. An ILP for a Special Exception may not be issued until the Special Exception has been approved by the WBZA.
      3. Any application that requires physical encroachment upon another’s property to meet drainage requirements shall provide a notarized letter of agreement to allow encroachment from those owners upon whose property encroachment must occur.
      4. If an application for an ILP relates to a light or general industrial use, it must be accompanied by a Certificate of Compliance, subscribed by a Registered Professional Engineer of the State of Indiana, stating that the use will meet the performance standards established by this ordinance.
   3. Certificate of Occupancy.
      1. No land shall be occupied or used and no building hereafter erected, altered, or reconstructed shall be occupied or used, in whole or in part, for any purpose whatsoever, until a Certificate of Occupancy has been issued by the Administrator, or their agent, stating that the use complies with all of the provisions of this ordinance.
      2. The Certificate of Occupancy shall be issued within five (5) days of the completion of the improvements authorized by the ILP, provided said improvements are in compliance with all provisions of this ordinance and all reinspection fees and fines have been paid.
   4. Expiration and Extension of an Improvement Location Permit.
      1. If a person to whom an ILP has been issued fails to complete construction within twenty-four (24) months after the ILP is issued (or less as described elsewhere), or fails to comply with the approved plan upon which the ILP was issued, said ILP shall be null and void.
      2. Extension. The Administrator may grant one twelve (12) month extension for any ILP at the written request of the applicant stating the need for such extension.
2. **Complaints, Violations, and Remedies**
   1. Complaints. Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint shall state fully the causes and basis thereof and shall be filed with the Administrator. The Administrator, or their agent, shall investigate the complaint, take immediate action and may refer the matter to the PPC, BZA, or their attorney for review. The Administrator or other member of the PPC staff shall have authority to enter upon property at any time to investigate a written complaint.
   2. Violations.
      1. Improvement Location Permit Violations.
         1. Any persons or corporation who shall initiate construction prior to obtaining an ILP, or Certificate of Occupancy or any other permit or authorization required herein, shall pay the fine as set forth in the Fee Schedule.
         2. The owner or tenant of any building, structure or premises and any other person who participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties prescribed by this section.
      2. Zoning Ordinance Violations. Any person or corporation who shall violate any of the provisions of these ordinances or fail to fully comply therewith or with any of the requirements thereof (including violations of conditions established in connection with grants of Variance or Special Exceptions) or who shall build, reconstruct or structurally alter any building in violation of the approved plot plan or building plans shall be subject to civil penalties of not more than three hundred dollars ($300) per day of violation.
      3. Subdivision Control Ordinance Violations.
         1. It shall be the duty of the Administrator to periodically research the County Auditors records and perform the other necessary investigation to detect any violations of these regulations.
         2. No owner, or agent of the owner, of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a plat of such subdivision has been approved by the PPC in accordance with the provisions of these regulations and filed with the Orange County Recorder.
         3. No public board, agency, commission, official or other authority shall proceed with the construction of or authorize the construction of any of the public improvements required by these regulations until the proposed subdivision has been approved by the PPC in accordance with these regulations and filed with the Orange County Recorder.
         4. No ILP shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
         5. The Administrator shall enforce these regulations and bring to the attention of the PPC attorney any violations or lack of compliance herewith. The PPC attorney shall take steps necessary under the Indiana Code to civilly enjoin any violation of these regulations.
   3. Remedies. The PPC, BZA or any designated enforcement official, may institute a suit for injunctive relief in the circuit court, or any court in the county having jurisdiction to entertain said matters, to restrain an individual person or a governmental unit from violating the provisions of the ordinance enacted pursuant to its terms or the Subdivision Control Ordinance. The PPC or the BZA may also institute a suit for mandatory injunction, directing an individual person or a governmental unit to remove a structure erected in violation of the provisions of these ordinances, enacted pursuant to its terms. In the event that the PPC or BZA deems it necessary to invoke one (1) or more remedies under this section, then, and in that event, they shall be entitled, if found to be the prevailing party, to an award of attorneys fees and costs of this action.
3. **Fee Schedule**
   1. Collection of Fees. Applications and petitions filed pursuant to the provisions of this Ordinance shall be accompanied by the fees specified in the Fee Schedule, and shall be paid to the Town of Paoli and collected by the PPC.
   2. Annual Review of Fees Assessed. On or before December 31st of each year, the Administrator shall determine if there has been an increase in the Consumer Price Index (United States city average) prepared by the United States Department of Labor, by comparing the arithmetic mean of the Index for July, August, and September of the current year with the same three-month period of the preceding year. If there has been an increase, the increase shall be stated as a percentage of the arithmetic mean for the three-month period of the year preceding the current year (the Adjustment Percentage). The Adjustment Percentage shall be rounded to the nearest one-tenth of one percent (0.1%) and may not exceed four percent (4%), unless otherwise provided by ordinance. Whenever the Administrator determines that there has been an increase, the Administrator may make a corresponding adjustment to the Fee Schedule (including late fees) that are assessed under this section, in order to recoup increases in personnel and administrative costs for the PPC. However the adjustment may not be greater than the Adjustment Percentage determined under this paragraph. The adjusted fees as determined by the Administrator under this paragraph take effect on January 1st of the succeeding year.
   3. Calculation of Fees. Fees will be calculated when the permit is being reviewed. Required inspections and estimated inspection time will be itemized and incorporated into the fees.
   4. Fines and Re-inspection Fees. Fines shall be paid before a permit is issued. Re-inspection fees shall be paid before the final inspection and/or the Certificate of Occupancy is issued (where applicable).

**Paoli Unified Development Ordinance**

**Chapter 6: Subdivisions**

1. **Commercial Subdivisions**
   1. Density Requirement.
      1. Number of Lots.
         1. Lot size and number of lots for commercial subdivisions shall be dictated by the private market.
   2. Open Space Requirement
      1. TWN Zoning District: Commercial subdivisions with the TWN-Town Square zoning district shall be required to provide only sufficient open space to meet the bufferyard requirements.
   3. Exemptions
      1. Reserved.
2. **Industrial Subdivisions**
   1. Density Requirement.
      1. Number of Lots.
         1. Lot size and number of lots for commercial subdivisions shall be dictated by the private market.
   2. Open Space Requirement.
      1. Reserved.
   3. Exemptions.
      1. Reserved.
3. **Residential Subdivisions**
   1. Density Requirement.
      1. The Comprehensive Plan encourages housing development where existing utilities, educational institutions, and public safety services are already in place. Therefore, development criteria have been established to limit development density unless close to the appropriate infrastructure.
         1. Base Density. The number of lots in any subdivision shall be as indicated in the development standards for the respective zoning district. The number of acres used in determination of the number of lots shall exclude areas designated as Primary Conservation Areas. In determination of lots, any fraction of less than five tenths (0.5) shall be disregarded, while a fraction of five tenths (0.5) or greater shall be counted as one (1) lot.
   2. Open Space Requirement
      1. Percent Open Space. The percent of open space required for any subdivision shall be as indicated in the development standards for the respective zoning district, or shall be the sum of all required Primary Conservation Areas, Bufferyards, and Perimeter Landscaping Areas within a subdivision, whichever is greater.
      2. Composition. Open space may be comprised of Primary Conservation Areas, Secondary Conservation Areas, Major Utility Easements, Bufferyards, Perimeter Landscaping, Recreation Areas, and Drainage Facilities under the conditions described below.
         1. Primary Conservation Areas. This category includes wetlands, lands that are generally inundated (under natural ponds, natural lakes, or creeks), land within the 100-year floodplain, and slopes exceeding twenty percent (20%). All areas designated as Primary Conservation Areas shall be designated as open space on the plat.

Primary Conservation Areas shall not count toward any more than fifty percent (50%) of the total required open space for a subdivision no matter how large the feature exists.

Inclusive in the designated Primary Conservation Area shall be a twenty-five (25) foot “no build” buffer maintained around all Primary Conservation Areas. Primary Conservation Areas shall not count toward the maximum density for the subdivision.

* + - 1. Secondary Conservation Areas. This category shall typically include all or part of the following kinds of resources: woodlands; aquifer recharge areas; poorly drained soils; significant wildlife habitat areas; prime farmland; historic, archaeological or cultural features listed (or eligible to be listed) on national, state, county, or town registers or inventories; scenic views into the property from existing public roads; or other features unique to the site. Secondary Conservation Areas therefore typically include parks, forest, meadows, pastures, farm fields, part of the ecologically connected matrix of natural areas significant for wildlife habitat, water quality protection or other reasons.

All Secondary Conservation Areas that are preserved as common area shall count toward the minimum required open space for a subdivision.

The most significant environmental features shall be conserved first when a site has more Secondary Conservation Areas necessary to fulfill the minimum open space requirement.

* + - 1. Major Utility Easements. This category may be considered open space, but only if the combination of all Primary Open Space, preserved Secondary Conservation Areas, required Perimeter Landscaping and required Bufferyards do not fulfill the minimum open space requirement. Major Utility easements within the property lines of a buildable lot shall not count as open space.
      2. Bufferyards. Bufferyards, when required, shall be in accordance with the Bufferyards section of the Unified Development Ordinance.

Bufferyards are not subject to reduction.

Bufferyards shall be in addition to Perimeter Landscaping and Major Utility Easements.

* + - 1. Perimeter Landscaping.

Reserved.

* + - 1. Recreation Areas. Active recreation areas shall be centrally located within the subdivision, or shall be situated next to Primary Conservation Areas.

Under no circumstances shall active recreation areas be located within Major Utility Easements, required perimeter landscaping areas, or required Bufferyards.

At least one (1) acre of land that is at least one hundred fifty (150) feet wide shall be usable for recreation for every fifty (50) acres of parent tract.

* + - 1. Drainage Facilities.

All drainage easements outside of buildable lots shall be counted as open space.

Retention ponds with a water surface area over twenty-five thousand (25,000) square feet at normal pool elevation qualify as open space. All smaller ponds shall not count toward open space.

Each retention pond shall have natural edges for at least eighty-five percent (85%) of its perimeter. Rip-rap, inlets, outlet structures or other engineered materials may be used in the remaining fifteen percent (15%). Any retention ponds that do not meet these design criteria shall not count as open space.

Detention facilities that have over twenty-five thousand (25,000) square feet of area measured within the top of bank shall qualify for open space. All smaller detention facilities shall not count toward open space.

* 1. Exemptions.
     1. Reserved.

Paoli Unified Development Ordinance

**Chapter 7: Subdivision Design Regulations**

1. **General**
   1. Conditions for Approval.
      1. The subdivision layout shall be of such a character that it protects the health, safety, and general welfare of the residents in the jurisdiction of the PPC. Considerations for approval, in addition to the other criteria and requirements in this ordinance include:
         1. Protection of all Primary Conservation Areas;
         2. Preservation and maintenance of woodlands, existing fields, pastures, meadows, and orchards and creation of sufficient buffer areas to minimize conflicts between uses, including residential and agricultural uses;
         3. Protection of wildlife habitat areas and sites of historic, archaeological or cultural value;
   2. Exemptions.
      1. Commercial Subdivisions.
         1. Reserved.
      2. Industrial Subdivisions.
         1. Reserved.
      3. Residential Subdivision – Minor. The following subdivisions are exempt from the requirements of this section for Minor Residential Subdivisions if the Technical Advisory Committee (TAC) reviews and approves the plan. If the applicant disagrees with the TAC recommendation, the petition must be presented to the PPC as a minor plat.
         1. Agricultural sales: A subdivision where the resulting lots are intended solely for agricultural uses, are at least twenty (20) acres in area, and abut existing public ways.
         2. Two-lot subdivision: A subdivision resulting in only two (2) building lots where the parent lot, tract or parcel existed prior to the passage of this UDO.
         3. Adjoining transfers: A subdivision resulting in the transfer or sale of land between adjoining lot owners that does not create additional building sites.
      4. Residential Subdivisions – Major.
         1. Reserved.
2. **Drainage and Erosion Control**
   1. Environmental Restrictions.
      1. No land shall be subdivided that is found to be unsuitable for subdivisions by reason of flooding, ponding, poor drainage, adverse soil conditions, adverse soil conditions, adverse geological formations, unsatisfactory topography or other conditions likely to be harmful to public health, safety or general welfare, unless such unsuitable conditions are to the satisfaction of the Town.
      2. No subdivision containing land located in a floodway or a flood hazard area shall be approved by the PPC with the approval of Indiana Department of Environmental Management. No lot shall be located so as to include land located within a floodway or flood hazard area unless the lot is such size and shape it will contain a buildable area not within a floodway or flood hazard area, suitable for development as allowed by the Unified Development Ordinance for zone in which the lot is located.
   2. Minimum Requirements.
      1. In order to provide more suitable sites for building and other uses, improve surface drainage, and control erosion, the following requirements shall be met:
         1. The locations, grading, and placement of sub-grade (base) material of all street, public driveway, and public parking areas shall be accomplished as the first work done on a development plan.
         2. All lots, tracts, or parcels shall be graded to provide proper drainage away from the buildings and dispose of it without ponding, and all land within the development shall be graded to drain and dispose of surface water without ponding, except where approved by the Orange County Drainage Board. Around each permanent building foundation there shall be a slope with a minimum vertical fall of six (6) inches for the area measured from the foundation to a point ten (10) feet from the building foundation or to the property line, whichever is closer.
         3. All drainage provisions shall be of such design to adequately handle the surface runoff and carry it to the nearest suitable outlet such as a curbed street, storm drain, or natural watercourse. Where drainage swales are used to divert surface waters away from buildings, they shall be sodded or planted as required and shall be of such slope, shape, and size as to conform to the requirements of the PPC.
         4. Concentration of surface water runoff shall only be permitted in swales or watercourses.
         5. Land alteration shall be accomplished in such a way that the grades left at the time that the work is completed will be permanent and stable.
   3. Excavation and Fills.
      1. Cuts and fills shall not endanger adjoining property.
      2. Fill shall be placed and compacted so as to minimize sliding or erosion of the soil,
      3. Fills shall not encroach or impede flows on natural watercourses or constructed channels.
      4. Fills placed adjacent to natural watercourses or constructed channels shall have suitable protection against erosion during this period of construction.
      5. Grading will not be done in such a way so as to divert water onto the property of another land owner without the expressed consent of the Administrator.
      6. During grading operations, necessary measures for dust control will be exercised.
      7. Grading equipment will not be allowed to cross live streams. Provision will be made for the installation of temporary or permanent culverts or bridges.
   4. Sedimentation.
      1. Whenever sedimentation is caused by stripping, vegetation, regrading, or other development activities, it shall be the responsibility of the applicant, person, corporation, and/or other entity causing such sedimentation to remove it from all adjoining surfaces, drainage systems, and watercourses and to repair any damage at his expense as quickly as possible.
   5. Maintenance.
      1. Maintenance of all driveways, parking areas, drainage facilities, and watercourses within any development plan area is the responsibility of the subdivider, provided that said facilities have not been dedicated to the public and accepted by the Town Council for public maintenance.
   6. Drainage Ways.
      1. Construction Along Waterways. It is the responsibility of the applicant and any person, corporation, or other entity doing any act on or across a communal stream, watercourse, or swale or upon the floodplain, floodway, or floodway fringe area of any watercourse during the period of development to return these areas to their original or equal conditions upon completion of said activities.
      2. Construction In Drainage Ways. No applicant or person, corporation, or other entity shall block, impede the flow of, alter, construct any structure, or deposit any material or thing, or commit any act which will affect normal or flood flow in any communal stream or watercourse without having obtained prior approval from the Orange County Drainage Board and/or the IDNR Division of Water, whichever is applicable.
   7. Design, Installation, and Maintenance.
      1. The design, installation, and maintenance of the required drainage facilities and erosion and sediment control measures shall be in accordance with the standards and specifications set forth in the Storm Drainage, Erosion, and Sediment Control Ordinance.
   8. Plan Approval.
      1. The approval of plans and specifications for the control of erosion and sedimentation shall be concurrent with the approval of the development, and shall become a part thereof.
   9. Grading/Clearing.
      1. Permission for clearing and grading prior to the approval of the development plan may be obtained under temporary easements or other conditions satisfactory to the Administrator.
      2. In the event the subdivider proceeds to clear and grade prior to the approval of the subdivision or development plan, without satisfying conditions specified herein, the jurisdictional agency having authority over the approval of said subdivision or development plans may revoke the approval of all plans and a suit for an injunction may be instituted by the PPC to halt further construction until development plans are approved.
      3. Topsoil shall not be removed from residential lots or used as spoil, but shall be redistributed so as to provide at least adequate cover on the lots. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left deposited on any lot or street in the subdivision.
   10. Other.
       1. Land which exhibits severe limitations to urban development due to flooding, inadequate drainage, poor soils, or other features likely to be harmful to the safety, welfare, and general health of future residents, shall not be subdivided, unless adequate remedies to overcome said limitations are formulated by the subdivider and approved by the PPC and other appropriate officials and agencies.
       2. Land which exhibits very severe limitations to urban development, such as floodplains and very poorly drained organic (muck) soils, characterized by seasonal high water tables at or near the surface, ponding, or frequent to occasional flooding, shall not be platted for urban development or used for non-agricultural structures.
       3. The subdivider shall provide the subdivision with an adequate storm water sewer system in accordance with the Storm Drainage, Erosion, and Sediment Control Ordinance. When the surface drainage is adequate, easements for such surface drainage shall be provided. Curbs and gutters along streets are required; however, if the PPC finds it necessary to waive this requirement, a shallow swale with its low point at least three (3) inches below the elevation of the subgrade of the pavement shall be installed. In this case, one (1) of the following types of improvements shall be furnished at driveway crossings:
          1. A corrugated metal pipe, at least twelve (12) inches in diameter and fourteen (14) feet in length to be placed where required for each driveway; or
          2. A proper length vertical curve concrete pavement, twenty-four (24) feet in length, twelve (12) feet minimum width, and six (6) inches thick, designed to meet INDOT Standard Specifications so as not to create a hazard to the under parts of automobiles, at the entrance of each driveway.
       4. Upon completion of the storm sewer installation, the plans for such system as built shall be filed with the PPC and the Orange County Surveyor.
3. **Lots and Setbacks**
   1. General.
      1. Subdivision lots shall be in accordance with the land use and design standards set forth in each respective zoning district.
   2. Commercial Subdivisions.
      1. Access.
         1. All lots shall abut on a street.
         2. For the purposes of establishing lot lines, street right-of-way lines shall be considered as the front line of lots and tracts bordering such street.
         3. Lots shall not derive access exclusively from an arterial, major collector, or minor collector. Where driveway access from an arterial, major collector, or minor collector may be necessary for several adjoining lots, the PPC may require that such lots be served by a shared driveway in order to limit possible traffic hazards on such street. Because of their limited nature, shared driveways are not required to meet public roadway requirements.
         4. Driveways shall be adequately separated from roadway intersections in order to minimize conflict with intersection traffic. No driveway shall enter the adjoining street at a point closer than the distances shown below to the intersection of the street right-of-way lines, or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended:
            1. Local Street: 50 feet
            2. Collectors: 75 feet
            3. Arterials: 100 feet
      2. Orientation and Configuration.
         1. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this requirement is permissible, but pointed or very irregular lots should be avoided.
         2. Double frontage lots should not be platted, except that, where desired along interstates, arterials, major collectors, or minor collectors, lots may face on a local street and back on such thoroughfares. In that event a bufferyard of no less than Bufferyard D of Section 3.4: Bufferyard Requirements shall be provided along the back of each lot.
      3. Shape.
         1. The depth and width of any lot shall not exceed a three-to-one (3:1) depth to width ratio.
         2. The lot size, width, depth, shape, grade location, and orientation shall be in proper relation to street and block design and to existing and proposed topographical conditions.
         3. Building lines shall conform to the provisions of the respective zoning district.
         4. Corner lots shall be sufficiently larger than interior lots to allow maintenance of building lines on both streets.
         5. Lots abutting a watercourse, drainage way, channel, or stream, outside of the area designated as open space shall have additional minimum width or depth as required to provide an adequate building site and afford the minimum usable area required by the respective zoning district for front, rear, and side yards.
      4. Other.
         1. Whenever possible, unit shopping centers, based upon sound development standards, should be designed in contrast to the platting of lots for individual commercial use.
   3. Industrial Subdivisions.
      1. Access.
         1. All lots shall abut on a street.
         2. For the purposes of establishing lot lines, street right-of-way lines shall be considered as the front line of lots and tracts bordering such street.
         3. Lots shall not derive access exclusively from an arterial, major collector, or minor collector. Where driveway access from an arterial, major collector, or minor collector may be necessary for several adjoining lots, the PPC may require that such lots be served by a shared driveway in order to limit possible traffic hazards on such street. Because of their limited nature, shared driveways are not required to meet public roadway requirements.
      2. Orientation and Configuration.
         1. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this requirement is permissible, but pointed or very irregular lots should be avoided.
         2. Double frontage lots should not be platted, except that, where desired along interstates, arterials, major collectors, or minor collectors, lots may face on a local street and back on such thoroughfares. In that event a bufferyard of no less than Bufferyard D of the Unified Development Ordinance shall be provided along the back of each lot.
      3. Shape.
         1. The depth and width of any lot shall not exceed a three-to-one (3:1) depth to width ratio.
         2. The lot size, width, depth, shape, grade location, and orientation shall be in proper relation to street and block design and to existing and proposed topographical conditions.
         3. Building lines shall conform to the provisions of the Unified Development Ordinance.
         4. Corner lots shall be sufficiently larger than interior lots to allow maintenance of building lines on both streets. A corner lot shall include a vision clearance space between three (3) feet and twelve (12) feet above the established grade at the street corner which is free from any kind of obstruction to vision. The vision clearance space shall occupy the triangular space at the street corner which is above a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the street corner along each property line.
         5. Lots abutting a watercourse, drainage way, channel, or stream, outside of the area designated as open space shall have additional minimum width or depth as required to provide an adequate building site and afford the minimum usable area required by the Unified Development Ordinance for front, rear, and side yards.
      4. Other.
         1. Reserved.
   4. Residential Subdivisions - Minor.
      1. Access.
         1. All lots shall abut on a street.
         2. For the purposes of establishing lot lines, street right-of-way lines shall be considered as the front line of lots and tracts bordering such street.
         3. Lots shall not derive access exclusively from an arterial, major collector or minor collector. Where driveway access from an arterial, major collector or minor collector may be necessary for several adjoining lots, the PPC may require that such lots be served by a shared driveway in order to limit possible traffic hazards on such street. Because of their limited nature, shared driveways are not required to meet public roadway requirements.
      2. Orientation and Configuration.
         1. All residential subdivisions must depict an arrangement of residential lots so as to reduce, to the maximum extent feasible, any nuisance or conflict between residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts and to demonstrate compatibility of the proposed minor plat and existing agricultural uses.
         2. In order to preserve agricultural ground, minor subdivisions in the AG – General Agricultural zoning district shall be laid out in a cluster design. This is best accomplished by contiguously grouping the lots in such a manner so as to consume the least amount of land possible given the constraints of the landscape.
         3. Minor subdivision plats must locate and arrange the residential lots so as to protect, to the maximum extent possible, that portion of the tract preserved for agricultural use.
         4. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this requirement is permissible, but pointed or very irregular lots should be avoided.
         5. Double frontage lots should not be platted, except that, where desired along interstates, arterials, major collectors, or minor collectors, lots may face on a local street and back on such thoroughfares. In that event a bufferyard of no less than Bufferyard D of the Unified Development Ordinance shall be provided along the back of each lot.
      3. Shape.
         1. The depth and width of any lot shall not exceed a three-to-one (3:1) depth to width ratio.
         2. The lot size, width, depth, shape, grade location, and orientation shall be in proper relation to street and block design and to existing and proposed topographical conditions.
         3. Building lines shall conform to the provisions of the Unified Development Ordinance.
         4. Corner lots shall be sufficiently larger than interior lots to allow maintenance of building lines on both streets. A corner lot shall include a vision clearance space between three (3) feet and twelve (12) feet above the established grade at the street corner which is free from any kind of obstruction to vision. The vision clearance space shall occupy the triangular space at the street corner which is above a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the street corner along each property line.
      4. Lots abutting a watercourse, drainage way, channel, or stream, outside of the area designated as open space shall have additional minimum width or depth as required to provide an adequate building site and afford the minimum usable area required by the Unified Development Ordinance for front, rear, and side yards.
      5. Other.
         1. Reserved.
   5. Residential Subdivisions - Major.
      1. Access.
         1. All lots shall abut on a street.
         2. For the purposes of establishing lot lines, street right-of-way lines shall be considered as the front line of lots and tracts bordering such street.
         3. Lots shall not derive access exclusively from an arterial, major collector, or minor collector. Where driveway access from an arterial, major collector, or minor collector may be necessary for several adjoining lots, the PPC may require that such lots be served by a shared driveway in order to limit possible traffic hazards on such street. Because of their limited nature, shared driveways are not required to meet public roadway requirements.
         4. In order to provide extended flexibility in design, road frontage requirements may be reduced by up to twenty percent (20%) on up to twenty percent (20%) of all lots in a subdivision.
      2. Orientation and Configuration.
         1. All residential subdivisions must depict an arrangement of residential lots so as to reduce, to the maximum extent feasible, any nuisance or conflict between residential and agricultural uses, both within the tract and in relation to adjoining and nearby tracts and to demonstrate compatibility of the proposed minor plat and existing agricultural uses.
         2. Side lines of lots shall be at approximately right angles to straight streets and on radial lines on curved streets. Some variation from this requirement is permissible, but pointed or very irregular lots should be avoided.
         3. Double frontage lots should not be platted, except that, where desired along interstates, arterials, major collectors, or minor collectors, lots may face on a local street and back on such thoroughfares. In that event a bufferyard of no less than Bufferyard D of the Unified Development Ordinance shall be provided along the back of each lot.
      3. Shape.
         1. The depth and width of any lot shall not exceed a three-to-one (3:1) depth to width ratio.
         2. The lot size, width, depth, shape, grade location, and orientation shall be in proper relation to street and block design and to existing and proposed topographical conditions.
         3. Corner Lots.
            1. All corner lots shall be twenty-five percent (25%) larger in lot area and lot width than the minimum requirements for the applicable zoning district found in the Unified Development Ordinance.
            2. Corner lots shall be sufficiently larger than interior lots to allow maintenance of building lines on both streets. A corner lot shall include a vision clearance space between three (3) feet and twelve (12) feet above the established grade at the street corner which is free from any kind of obstruction to vision. The vision clearance space shall occupy the triangular space at the street corner which is above a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the street corner along each property line.
      4. Setbacks. Building lines shall conform to the provisions of the Unified Development Ordinance.
         1. Front Setback.
            1. Patterns. Irregular patterns of established front setbacks are encouraged. Additionally, front porches (allowed projections into the front setback) and variations in rooflines should be used to create the illusion of variations in established front setback.
         2. Lots abutting a watercourse, drainage way, channel, or stream, outside of the area designated as open space shall have additional minimum width or depth as required to provide an adequate building site and afford the minimum usable area required by the Unified Development Ordinance for front, rear, and side yards.
      5. Other.
         1. Reserved.
4. **Open Space**
   1. Ponds.
      1. Detention/retention ponds may be included as part of the open space area, as may land within easements for underground pipelines and high-tension power lines, provided that no more than twenty-five percent (25%) of all open space areas within the subdivision shall be used for these purposes. Waiver from this requirement may be requested at the time of Primary or Secondary Plat application.
   2. Ownership.
      1. Open space areas shall be owned and managed by an owners’ association, a recognized land trust or conservancy, or a public entity. Open space may not be owned by an individual property owner.
         1. Offer of Dedication. Dedication of open space may be made to any public or private agency interested in accepting the responsibility for continued management. Dedication shall take the form of fee simple ownership. Such accepting entity may, but shall not be required to accept open space. Any entity accepting open space and its continued management may require the posting of financial surety to ensure structural integrity of said improvements as well as the functioning of said improvements for a term not to exceed three (3) years from the date of acceptance of dedication. The amount of financial surety shall not exceed twenty percent (20%) of the actual cost of installation of said improvements.
         2. Owner’s Association. Any owners’ association holding in common ownership. The undivided open space and associated facilities shall be formed and operated under the following minimum provisions:
            1. The subdivider shall provide a description of the association, including its bylaws, covenants, restrictions and methods for maintaining the open space.
            2. Membership in the association is mandatory for all purchasers of property therein and their successors. The conditions and timing of transferring control of the association from subdivider to owners shall be identified.
            3. The owners’ association shall be responsible for maintenance of insurance and payment of taxes on undivided open space, enforceable by liens placed by the Town or PPC on the owners’ association. The owners’ association may place liens on the improvements or lots of its members who fail to pay their association dues in a timely manner, if provided for in the covenants and restrictions.
            4. The members of the owners’ association shall share equitably the costs of maintaining and developing such undivided open space.
            5. In the event of a proposed transfer, within the methods permitted in this ordinance, of undivided open space land by the owners’ association, or of the assumption of maintenance of the undivided open space land by a public or private agency, notice of such action shall be given to all property owners within the subdivision.
            6. The owners’ association shall obtain adequate staff to administer common facilities and properly and continually maintain the undivided open space.
            7. Lease. The owners’ association may lease undivided open space lands to any qualified person, or corporation, for operation and maintenance of open space lands, but such a lease or agreement shall provide:

That the residents or tenants of the subdivision shall at all times have access to the open space lands and facilities (except open space lands used for agricultural purposes);

That the undivided open space to be leased shall be maintained for the purposes set forth in this ordinance; and

Any lease shall be subject to the approval of the board of the association and any transfer or assignment of the lease shall be further subject to the approval of the board of the association.

* + - 1. Dedication of Easements. A public agency may, but shall not be required to, accept easements for public use of any portion of undivided open space land and facilities, title of which is to remain in ownership by the owners’ association provided that such land and facilities are available to the general public and that a satisfactory maintenance agreement is reached between the subdivider or owners’ association and the public agency.
      2. Transfer of Easements. An owners’ association may transfer easements to a private, nonprofit organization, among whose purposes it is to conserve open space and natural resources provided that the conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue to carry out its functions and that a maintenance agreement acceptable to the board of the association is entered into by the subdivider or owners’ association and the organization.
  1. Maintenance.
     1. The owner of the open space shall be responsible for maintaining operation, maintenance and physical improvements to open space lands and facilities, through use of annual dues, special assessments or other financial capacity. A homeowners’ association shall be authorized under its bylaws to place liens on the property of residents who fall delinquent in payment of such dues or assessments.
  2. Failure to Maintain.
     1. Failure to adequately maintain the divided and undivided open space in reasonable order and condition in accordance with recorded covenants and restrictions, constitutes a violation of this ordinance subject to any and all enforcement measures authorized by this ordinance necessary to obtain compliance. In the event that the association or any successor organization shall, at any time after establishment of a subdivision containing open space, fail to maintain the divided or undivided open space in reasonable order and condition in accordance with recorded covenants and restrictions, the PPC may serve written notice upon the owner of record, setting forth the manner in which the owner of record has failed to maintain the open space. If no association is functioning, each property owner shall be individually and jointly liable for the assessed cost of maintenance.

1. **Plat Sheets**
   1. Required Plat Language.
      1. The following paragraphs shall be required as a provision of the restrictive covenants and on the plats sheets to which they apply:
         1. Title Block:
            1. Signature line for PPC President
            2. Signature line for Secretary
            3. Date of PPC approval of the secondary plat
         2. Site Distance and Visibility: “No fence, wall, hedge, tree, or shrub planting which obstructs sight lines and elevations between three (3) and twelve (12) feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting a point twenty-five (25) feet from the intersection of said street lines, or in the case of a rounded property corner from the intersection of the street right-of-way lines extended. ”
2. **Spaces Set Aside for Public Use**
   1. Public Use Sites.
      1. Where sites for schools, fire prevention, law enforcement, day care, or other public uses indicated by the applicant, such shall be reserved for a negotiated period of time, following the date of the final approval of the plan. In the event a government agency or other entity concerned passes a resolution expressing its intent to acquire the land for its intended purpose, the reservation period shall be extended for not more than one (1) additional year.
3. **Streets**
   1. Local Street Classifications.
      1. Per the Comprehensive Plan, streets in Paoli are classified as Rural Other Principal Arterial, Rural Minor Arterial, Rural Major Collector, Rural Minor Collector, and Local Street. For the purposes of subdivision development, Local roads shall be further classified and defined as Subcollector, Feeder Road, and Access Street.
         1. Subcollector. Subcollectors operate as the principal traffic artery within subdivision development. Subcollectors commonly carry relatively high volumes and convey traffic from collectors and other roads outside of the development. Subcollectors are designed to promote the free flow of traffic. Parking along a subcollector shall be prohibited and road cuts shall be minimized.
         2. Feeder Road. Feeders convey traffic from access streets to subcollectors, collectors and other roads. Feeders commonly carry a relatively low volume of traffic. Feeders may be used for road frontage and access to lots.
         3. Access Street. Access streets convey traffic from the subdivision lot to feeders or subcollectors. Access streets commonly carry no through traffic and include short streets, often ending in a cul-de-sac. Access streets are designed to serve a limited number of dwellings or establishments.
   2. Considerations for Local Street Classification.
      1. In classification of streets, the average daily traffic (ADT) shall be considered. In the instance that a use is not indicated, the applicant shall either propose, to the satisfaction of the Administrator, a similar but indicated use, or provide sufficient private information regarding such use as to provide an accurate estimate of average daily traffic including but not limited to:
         1. Density and lot width,
         2. Abutting land use,
         3. Availability of off-street parking ,
         4. Proximity of residential to commercial (or commercial to residential) development and other services, and
         5. Public service such as trash collection, snow removal and public safety.
   3. Layout.
      1. The street layout shall provide adequate vehicular and pedestrian access to all lots and parcels of land within the subdivision and where streets cross other streets, jogs shall not be created. Streets shall conform to the following principles and standards:
         1. Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.
         2. Residential street systems may be designed to minimize through traffic movement, but certain proposed streets, where appropriate, shall be extended to the boundary line of the tract to be subdivided so as to provide for normal circulation of traffic within the vicinity.
         3. Wherever there exists a dedicated or platted portion of a street adjacent to the proposed subdivision, the remainder of the street to the prescribed width shall be platted within the proposed subdivision.
         4. Residential street patterns shall provide reasonably direct access to the primary circulation system.
         5. Local circulation systems and land development patterns shall not conflict with the efficiency of bordering thoroughfares.
         6. Widths of thoroughfares shall conform to the widths set forth in Appendix 1, Paoli Standard Specifications and Standard Details.
         7. The minimum right-of-way of residential streets or cul-de-sacs shall be fifty (50) feet. All cul-de-sacs longer than six hundred (600) feet shall terminate in a right-of-way with a minimum diameter of one hundred (100) feet and minimum roadway diameter of ninety-five (95) feet.
         8. The center lines of streets should intersect as nearly at right angles as possible.
         9. At intersections of streets, property line corners shall be rounded by arcs of at least twenty (20) feet radii or by chords of such arcs.
         10. If the smaller angle of intersection of two (2) streets is less than sixty degrees (60o), the radius of the arc at the intersection of property lines shall be increased as deemed advisable by the PPC.
         11. Intersections of more than two (2) streets at one (1) point shall be avoided.
         12. Street jogs with centerline off-sets of less than one hundred twenty-five (125) feet shall not be permitted when intersecting an access or feeder road, or two hundred fifty (250) feet when intersecting a subcollector or collector road.
         13. Where parkways or special types of streets are involved, the PPC may apply special standards to be followed in their design.
         14. Whenever the proposed subdivision contains or is adjacent to a railroad right-of-way, arterial, major collector, or minor collector, frontage or access road to be built in such a manner as to provide adequate and safe access, parking and loading to the site while minimizing road cuts.
         15. A temporarily dead-ended street shall be permitted in any case in which a street is proposed to be and should logically be extended but is not yet constructed. An adequate easement for a turn-around shall be provided for any such temporary dead-end street which extends two hundred (200) feet or more in length. Such easement shall be automatically vacated to abutting property owners when said dead-ended street is legally extended.
         16. In subdivisions that adjoin or include existing streets that do not conform to the minimum right-of-way dimensions as established in Appendix 1, Paoli Standard Specifications and Standard Details, the subdivider shall dedicate additional width along either one (1) or both sides, of such streets of inadequate width so as to bring them up to standards, provided the area to be used for widening is owned by the subdivider or under his control.
         17. Horizontal visibility on curved streets and vertical visibility on all streets must be maintained along the center line as follows:
             1. Major Arterial, Minor Arterial, and Major Collector – five hundred (500) feet;
             2. Minor Collector – three hundred (300) feet;
             3. Local Street – two hundred (200) feet.
         18. Curvature measure along the center line shall have a minimum radius as follows:
             1. Major Arterial, Minor Arterial, and Major Collector – five hundred (500) feet;
             2. Minor Collector – three hundred (300) feet;
             3. Local Street – two hundred (200) feet.
             4. Between reversed curves of Major Arterials, Minor Arterials, Major Collectors, and Minor Collectors, there shall be a tangent of not less than one hundred (100) feet and on Local Streets such tangent shall be not less than forty (40) feet.
         19. Maximum grades for streets shall be as follows:
             1. Major Arterials, Minor Arterials, Major Collectors, and Minor Collectors: not greater than six percent (6%).
             2. Local Streets: not greater than eight percent (8%).
             3. The minimum grade of any street gutter shall not be less than five tenths percent (0.5%).
   4. Installation.
      1. Streets shall be completed to grades shown on plans, profiles, and cross-sections, provided by the subdivider, and prepared by a registered professional engineer and approved by the PPC.
         1. The streets shall be graded, surfaced, and improved to the dimensions required by such plans, profiles and cross-sections and the work shall be performed in the manner prescribed in “Standard Specifications for Road and Bridge Construction and Maintenance” (current issue) of INDOT and construction standards of this ordinance and the appropriate Highway Department. References in the following paragraphs refer to the INDOT Standard Specifications.
         2. The street pavement shall be of Portland Cement Concrete or a flexible asphalt concrete pavement in accordance with design standards noted in Appendix 1, Paoli Standard Specifications and Standard Details. Acceptable pavement alternatives are also available in Appendix 1. All concrete pavement and flexible asphalt pavement mix designs shall meet or exceed all minimum INDOT Standard Specifications. A gradation report of all materials used in the mix designs and the mix design shall be furnished to the appropriate Highway Department. Recycled Asphalt Pavement (RAP) shall not exceed ten percent (10%) of base or binder mix designs. No RAP will be allowed in the asphalt surface mix design.
         3. No asphalt base, binder or surface layer shall be placed until air temperature is forty-five degrees (45o) and rising as in accordance with INDOT standards and the applicable Highway Department requirements. An asphalt emulsion tack coat is required on the full face of any curb and in between the base or binder and surface layer. Before any surface layer can be applied it should be cleaned to the approval of the appropriate Highway Department.
         4. The asphalt contractor shall have an adequate supply of equipment on the job site approved by the Highway Inspector.
         5. Compaction of all pavement shall be in accordance with INDOT standards specifications.
         6. All stone aggregates used shall meet or exceed INDOT Standard Specifications and shall be a Class A Type “O” aggregate. A gradation report of the material dated no more than five (5) days prior to delivery of material to the subdivision shall be supplied to the appropriate Highway Department prior to placement of stone material. If the stone does not have enough moisture in it to get adequate compaction then the contractor shall have a water truck available to apply a sufficient amount of water needed to obtain the required compaction. All stone bases shall be compacted by a minimum ten (10) ton vibratory roller. Each stone base shall be inspected by the appropriate Highway Department before the next course can be applied.
         7. Under drains shall be required under both sides of streets and shall be located as indicated in Appendix 1, Paoli Standard Specifications and Standard Details and shall discharge into a storm drainage system. A gradation report for stone or gravel shall be provided to the appropriate Highway Department and the Orange County Surveyor prior to placement of material.
         8. Subcollector streets for commercial or industrial development shall be required to meet all specifications for residential collector streets while feeder or access streets shall be required to meet all specifications for residential subcollector streets.
         9. Where an arterial, major collector or minor collector is located within a subdivision as established by this ordinance, the subdivider shall construct such street pavement in accordance with Appendix 1, Paoli Standard Specifications and Standard Details.
         10. Prior to placing the street surface, adequate drainage for the street shall be provided by the subdivider. Culvert drainage pipe, when required, shall be concrete pipe or a similar type not less than twelve (12) inches in diameter approved by the PPC. Upon the completion of the street improvements, plans and profiles as built shall be filed with the PPC. Longitudinal sub-grade drainage shall be provided below the depth of the sub-grade.
         11. Before any performance bond covering a street installation is released, the PPC, the Town Council, or appropriate Highway Department may request that core borings of the street be done at the subdivider’s expense. Cores shall be sent to the appropriate Highway Department and/or an independent testing laboratory for analysis. The subdivider may request permission of the PPC and the Town Council to delay the installation of the one and a half (1.5) inch surface layer of asphalt until the binder layer of asphalt has had a sufficient time period to prove its durability under the stress of heavy construction traffic. The subdivider shall be required to submit a separate performance bond to cover the cost of the installation of the one and a half (1.5) inch surface layer of asphalt.
   5. Block Standards.
      1. Block length and width or acreage within bounding streets shall be such as to accommodate all requirements of this ordinance in the zoning district in which the subdivision is to be located, and to provide convenient access, circulation control, and safety of traffic. Blocks that are unreasonably large or small shall not be approved.
      2. Blocks shall not exceed one thousand two hundred (1,200) feet in length. In the design of blocks longer than eight hundred (800) feet, the PPC may specify the provision of pedestrian crosswalks or interior trails near the center of the block, or wherever would be most useful to facilitate pedestrian circulation to a school, park, recreation area, shopping center, or other significant neighborhood destination.
   6. Curbs and Gutters.
      1. The PPC shall require curb and gutter to be installed on each side of the street surface. The curb and gutter shall be constructed according to the following specifications:
         1. Curb and gutters shall be placed on a well compacted aggregate base that extends approximately one (1) foot outside the back of the curb.
         2. All gutters and curbs shall be constructed in accordance with Appendix 1, Paoli Standard Specifications and Standard Details.
         3. All materials in the curb mix shall meet or exceed INDOT Standard Specifications Class A Concrete and a gradation report for all materials shall be furnished to the Highway Inspector prior to installation.
      2. No concrete curb mix shall be placed below air temperatures of forty degrees (40o).
   7. Sidewalks and Trails.
      1. Sidewalks shall be required on both sides of any Major Collector, Minor Collector, subcollector, feeder, or access street upon which development occurs. The Administrator, PPC, or Plat Committee may allow a minimum five (5) foot wide asphalt trail as an alternate.
      2. Sidewalks shall be constructed of Class A Portland Cement Concrete in accordance with Appendix 1, Paoli Standard Specifications and Standard Details.
      3. When possible, trails should be provided within the subdivision and should complement the sidewalk system. Trails shall be comprised of asphalt and shall maintain a minimum width of five (5) feet.
   8. Street Signs.
      1. The subdivider shall provide the subdivision with standard Town street signs at the intersection of all streets.
         1. Stop signs shall be constructed of thirty (30) inch by thirty (30) inch High Intensity 3M sheeting. Stop signs shall be mounted on flanged u-channel sign posts, shall weigh three (3) pounds per foot and extend twelve (12) feet in length.
         2. Speed limit signs shall be constructed on Engineer Grade 3M sheeting and be mounted on flanged u-channel sign posts which shall weigh three (3) pounds per foot and extend twelve (12) feet in length.
         3. All street name signs are to be constructed on nine (9) inch aluminum plate High Intensity sheeting. Street signs shall be green with six (6) inch white letters and a white border. All street signs are to be mounted on tubular sign posts, twelve (12) feet in length.
         4. All mounting brackets shall be provided by the Highway Department.
         5. All street signs shall conform to the Manual on Uniform Traffic Control Devices (MUTCD) for Conventional Roads.
   9. Street Lights.
      1. Street lights may be required to be installed at intersections throughout the subdivision and such installations shall conform to the requirements of the public utility providing such lighting.
   10. Acceleration and Deceleration Lanes.
       1. Acceleration and deceleration lanes shall be provided at the intersection of any proposed Local street and arterial, major collector or minor collector.
   11. Bridges and Culverts.
       1. All bridges and culverts shall be constructed in accordance with applicable engineering standards as approved by the Orange County Highway Department.
   12. Street Names.
       1. No street names may be used which will duplicate, or be confused with, the names of any existing streets unless said proposed streets are the logical extension of continuation of, or obviously in alignment with an existing platted street, in which case the proposed streets shall bear the names of such existing streets. The PPC shall have final authority to approve names for all streets.
   13. Improvements to Adjacent Streets.
       1. Whenever a proposed subdivision borders an existing street, the PPC may require the reconstruction or widening of such street as a condition of plat approval. Additional dedication of right-of-way may also be required.
   14. Private Roadways.
       1. Major Subdivisions. Private roadways are not permitted in any type of major subdivisions.
       2. Minor Residential Subdivision.
          1. Private roadways may be constructed to serve lots in minor residential subdivisions. The owners of each lot parallel to the roadway shall own, as tenants in common, an undivided interest in the private roadway.
          2. Minor subdivisions may utilize a private, shared driveway as an alternative to development of a public street.
4. **Utilities**
   1. General Design Standards.
      1. Underground installation of communication and electric utilities is required. At least eighty percent (80%) of all homes in a subdivision shall be served from the rear of the lots. Such installations shall be placed along the rear lot lines within dedicated utility easements.
   2. Utility Easements.
      1. Utility easements shall have minimum width of twenty (20) feet, and where located along lot lines, no more than one-half (1/2) the width shall be taken from each lot. In the case of lots extending to the boundary of the lands platted and not adjoining another plat, the full width of the easements shall be provided on such peripheral lots. Before determining the location of easements, the plan shall be discussed with the local public utilities to assure their proper placing for the installation of such services.
   3. Sewage Disposal.
      1. The subdivider shall provide the subdivision with a complete sewer system, which shall connect with an existing approved public sewer utility and have a documented commitment by that public utility to provide sewer service. The plans for the installation of a sanitary sewer system shall be provided by the subdivider and approved by the Indiana State Board of Health (Refer to Regulation H. S. E. -14, l. S. B. H.). All public utility installations shall be designed and installed at least to the standards and specifications as permitted by law of an incorporated area if within two (2) miles of the development.
   4. Water.
      1. The subdivider shall provide the subdivision with a complete water supply system, which shall be connected to an existing approved public water utility, except that when no such supply is available, the subdivider shall provide one (1) of the following:
         1. A complete community water supply system to be provided in accordance with the minimum requirements of the Indiana State Board of Health. The plans for the installation of water main supply systems shall be provided by the subdivider and approved by the Indiana State Board of Health.
         2. An individual water supply on each lot in the subdivision in accordance with the minimum requirements of the Orange County Health Department. In the case of private water supply the subdivider shall provide evidence that such facility can feasibly be installed and function on the site.

**Paoli Unified Development Ordinance**

**Chapter 8: Non-Conforming**

1. **Non-conforming Lots, Structures, and Uses**
   1. General Provisions. Within the districts established by this ordinance or by amendments that may later be adopted, there exist individually or in combination: Non-conforming lots; Non-conforming structures and Non-conforming uses of land; which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments. It is the intent of this ordinance to permit these non-conforming uses to continue until they are removed, but not to encourage their survival. It is further the intent of this ordinance that non-conforming uses shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses which are prohibited elsewhere in the same district. Illegal uses existing at the time this ordinance is enacted shall not be validated by virtue of its enactment. Non-conforming uses are declared by this ordinance to be incompatible with permitted uses in the districts in which such uses are located. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land in combination shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located. To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building or development on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been carried on diligently. Where demolition or removal of an existing building has been substantially begun prior to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried on diligently. Actual construction is hereby defined at a minimum as having a valid ILP upon the initial passage of this ordinance on date of passage of this Unified Development Ordinance.
2. **Non-conforming Lots of Record.** 
   1. General Provisions. In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record after the effective date of adoption or amendment of this ordinance notwithstanding limitation imposed by other provisions of this ordinance. Such lot must be in separate record and not of continuous frontage with existing lots. This provision shall apply even though such lots fail to meet the requirements for area or width, or both, that are generally applicable in the district provided that yard dimensions and requirements other than those applying to area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.
3. **Non-conforming Structures.**
   1. General Provisions. Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not now be built under the terms of this ordinance by reason of restrictions on area, lot, height, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions.
      1. No such non-conforming structure may be enlarged or altered in a way that increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity.
      2. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to the extent of more than fifty percent (50%) of the area of the building immediately prior to the damage, it shall not be reconstructed except in conformity with the provisions of this ordinance.
      3. Should such structure be moved for any reason, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
      4. A non-conforming use may be extended throughout any parts of a building, which manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.
4. **Non-conforming Uses of Land.**
   1. General Provisions. Where, at the time of adoption of this ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this ordinance, the uses may be continued so long as they remain otherwise lawful, provided.
      1. No such non-conforming uses shall be enlarged or increased nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.
      2. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this ordinance.
      3. If any such non-conforming uses of land are discontinued or abandoned for any reason for more than six (6) months, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.
      4. No additional structure not conforming to the requirements of this ordinance shall be erected in connection with such non-conforming use of land.

**Paoli Unified Development Ordinance**

**Chapter 9: Subdivision Administration & Procedures**

1. **Residential Subdivisions – Minor.** 
   1. In Residential Areas. The division of a tract of land into four (4) residential parcels or less may be approved as a minor subdivision one (1) time only. The minor subdivision shall be subject to the same basic procedures as set forth in the Rules and Procedures. The intent of this section is to eliminate unnecessary requirements and reduce the time and effort required by major subdivision plats. Use of this procedure shall be limited to the creation of four (4) new parcels after November 1, 1998.
      1. Pre-application. From the standpoint of economy of time and money, the subdivider must consult informally with the Administrator for advice and assistance prior to filing. This will enable the subdivider to become familiar with these and other regulations as they affect the area and will prevent unnecessary and costly revisions.
      2. Concept Plan. The Concept Plan is an optional part of any application for Primary Plat approval of a minor residential subdivision. Its purpose is to bring the conceptual proposal before the PPC or the Plat Committee and general public for discussion. The Concept Plan shall be prepared in accordance with standards set forth for Major Subdivisions.
      3. Primary Plat and Secondary Plat. Application for Primary Plat for minor subdivisions shall be in accordance with standards set forth for Major Subdivisions with the exception that the Primary Plat and the Secondary Plat may be heard simultaneously by the PPC or the Plat Committee.
         1. Public Notice. Once an application has been determined to be complete and meets all of the requirements of this ordinance, the Administrator shall set a date for a public hearing before the PPC or the Plat Committee. Notice of public hearing shall be in accordance with IC36-7-4-706 and with adopted Rules and Procedures. The cost of notification shall be borne by the applicant.
      4. Secondary Plat. Application for Secondary Plat for minor subdivisions shall be in accordance with standards set forth for Major Subdivisions with the exception that the Primary Plat and the Secondary Plat may be heard simultaneously by the PPC or the Plat Committee.
      5. Decision by the PPC or Plat Committee. Within thirty (30) days after application for approval of the Minor Subdivision, the PPC, or the Plat Committee as appropriate, shall approve or disapprove it.
         1. Approval. If the PPC or the Plat Committee determines that the plat complies with the standards of this ordinance, they shall grant primary and secondary approval to the plat. The approval shall be certified on behalf of the PPC by the PPC President or by the Chairman of the Plat Committee and the Administrator who shall affix their signatures to the plat original and all other relevant documents which also may require such signatures. Approval by the Plat Committee shall be reported to the PPC at the next public meeting.
         2. Disapproval. If the PPC or the Plat Committee disapproves the Secondary Plat, it shall make written findings of fact and notify the applicant in writing within ten (10) days of the hearing, stating the specific reasons for disapproval. This written notice shall be ratified by the PPC and signed by the PPC President and the Administrator.
      6. Appeals. Appeals of decisions made by the PPC or the Plat Committee shall come before the PPC for final decision and may be made by either the applicant or remonstrator in accordance with IC36-7-4-708.
      7. Amendments.
      8. Procedure Restrictions. An applicant shall receive approval one (1) time on a parent tract allowing a minor residential subdivision containing no more than (4) residential lots. Any further subdividing requires an application for a zoning map amendment for the entire tract to an appropriate zoning district for a major subdivision as well as major subdivision approval.
   2. Minor Subdivisions and Single-family Homes in the AG - General Agricultural District. Application for Minor Residential Subdivisions and Single-family Homes are brought before the WBZA and considered a Restricted Use for the purpose of thorough review on a site-by-site basis. A Variance may be requested from the requirements of Table 3, Residential Uses and Requirements – Single-family and any other sections of this ordinance at the written request of the applicant at the time of filing for Special Exception or Variance before the WBZA. The following procedures and restrictions shall be considered:
      1. Approval. Minor subdivision approval shall be in accordance with the applicable section of the Subdivision Control Ordinance. Single-family Homes in the AG zoning district shall be in accordance with the procedure set forth for Special Exception.
      2. Driveways. In order to prevent strip-lot development and preserve rural character, it is necessary to encourage the sharing of driveways.
         1. New driveways for minor subdivisions in the AG zoning district shall be in accordance with Table 3, Residential Uses and Requirements – Single-family of this ordinance. Lots shall share a common driveway cut when possible.
         2. When applicable, new driveways in the AG zoning district shall be along the property line to make it possible to share the driveway with an adjoining lot in the future. In addition, the commitment may be required that the owner share the driveway when necessary.
      3. Cluster Design. In order to preserve agricultural ground, minor subdivisions in the AG zoning district shall be laid out in a cluster design. This is best accomplished by contiguously grouping the lots in such a manner so as to consume the least amount of land possible given the constraints of the landscape.
      4. Buffering. In order to protect residential uses from agricultural activities and vice-versa, the perimeter of the minor subdivision and lots for Single-family Homes in the AG zoning district shall have Bufferyard Ag.
      5. Commitments. In order to protect residential uses from agricultural activities and vice-versa, commitments may be required by the WBZA at the time of Special Exception approval in accordance with IC 36-7-4-921. Such commitments must be recorded with the Office of the Orange County Recorder prior to the issuance of an ILP. Commitments mandated by the WBZA may include, but are not limited to, the following:
         1. Right-to-Farm Law of Indiana. The applicant for the Special Exception acknowledges and/or agrees that agricultural uses are permitted in the surrounding area, no agricultural or agri-business operation in the area shall be or become a nuisance, and to not object to the continuation of any such agricultural or agri-business operation in the surrounding area as long as such operation does not constitute a nuisance.
         2. Future Residential Subdivision. After the granting of the initial Special Exception and prior to further subdivision of the subject property beyond such approval, an application for an additional Special Exception in order that the WBZA may review the request and ensure that such further subdivision is in accordance with this ordinance and meets the standards for such Special Exception.
2. **Residential Subdivisions – Major.** 
   1. Pre-application. From the standpoint of economy of time and money, the subdivider consults informally with the Administrator for advice and assistance prior to filing. This will enable the subdivider to become familiar with these and other regulations as they affect the area and will prevent unnecessary and costly revisions.
   2. Concept Plan. The Concept Plan is required as part of any application for Primary Plat approval for major subdivisions. The applicant shall submit the Concept Plan to a public meeting of the PPC prior to the Primary Plat hearing for the purpose of discussion and recommendations. The Concept Plan shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plan may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Concept Plan shall consist of a site analysis map and a site development map.
      1. Site Analysis Map. A location map which may be prepared by indicating the required information by notation on available maps of an appropriate scale. The purpose of the site analysis map is to indicate consideration and respect for the unique features of a site. A site analysis map shall include the following:
         1. Location of the proposed subdivision, including adjacent parcels of land;
         2. Existing schools, parks, fire, police, and emergency medical (EMS) facilities that will serve the subdivision;
         3. Public thoroughfares that will serve the subdivision;
         4. Water and sewer services to serve the subdivision, if applicable.
         5. Primary Conservation Areas;
         6. Secondary Conservation Areas;
         7. Location of streets and thoroughfares including those in contiguous subdivisions or undeveloped property;
         8. Other unique features or characteristics of the site such as views (to and from the site), impacts (by the subdivision or by surrounding elements) and geographical features;
         9. Indication of the resulting prime location for houses after site analysis.
      2. Site Development Map. The site development map shall indicate the proposed layout of the subdivision, including streets, lots, houses and common areas. In coordination with a Primary Plat application, the Primary Plat may act as the site development map.
      3. Public Notice. A placard displaying the public meeting date and relevant information for the Concept Plan will be posted on the subject site in a prominent, visible location as the notice of public hearing. The non-refundable cost of the placard shall be borne by the applicant at the time of filing as noted in the Fee Schedule.
      4. Public Meeting. The Concept Plan shall go before the PPC for presentation to and suggestions by the PPC. While no official action shall be taken, the PPC shall mandate impact assessments to be performed prior to application for Primary Plat.
      5. Impact Assessment. As a result of Concept Plan review, the PPC may require that impact assessments be done for discussion at the time of the Primary Plat hearing. Impact assessment shall be performed by a qualified professional with training, experience, and expertise in the field relevant to the specific section of the study in which work shall be performed. The PPC shall mandate such studies at the expense of the applicant and of the professional of choice of the PPC. Such assessment may include any of the following: traffic and transportation; tax base; water and sewer service; fire, police, and emergency services; schools; parks. Any additional expense necessary to ensure adequate information, reports, or plans shall be met by the applicant.
   3. Primary Plat.
      1. Application. A subdivider desiring approval of a Primary Plat of a subdivision of any land lying within Paoli shall submit their application in accordance with the application packet adopted by the PPC as part of their Rules and Procedures. The application shall be in accordance with filing deadlines outlined in the application packet. The application shall be accompanied by an application fee as indicated in the Fee Schedule. The application fee shall be non-refundable. Of the application copies submitted, the Administrator shall forward one (1) copy to each of the following:
         1. Orange County Surveyor
         2. Orange County Health Department
         3. Natural Resource Conservation Service Soil Conservationist
         4. Paoli Engineer or the town’s designee
         5. Applicable public utility which may be affected
         6. Applicable road or highway superintendent
         7. Applicable School Superintendent
         8. Applicable Safety Services

\*\*The above listed agencies, persons, or Town Officials shall forward any comments or recommendations concerning said plat to the Administrator prior to the date of the scheduled TAC meeting.

* + 1. Plans. The Primary Plat shall be required as part of any application for Primary Plat approval. If applicable, the applicant shall submit proof of secured public sewer and/or public water connection. The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Primary Plat shall be prepared and certified by a land surveyor and/or a professional engineer registered by the State of Indiana. A primary subdivision plat shall be submitted showing the following, but not limited to:
       1. The proposed name of the subdivision
       2. Names and addresses of the owner, subdivider, and consulting engineer, land surveyor, or planning firm that prepared the plan
       3. Legend and notes including the scale, north point, and date
       4. Tract boundary lines showing dimensions, bearings, angles, and references to section, township, and range lines or corners
       5. Existing zoning of the tract and all contiguous tracts surrounding the proposed subdivision
       6. All section and municipal corporate boundaries lying within or contiguous to the tract
       7. Topographic contours at typical intervals of one(1) foot if the general slope of the tract is less than five percent (5%), or intervals of two (2) feet if the slope is in excess of five percent(5%). Said contours shall be referenced to mean sea level elevations
       8. Layout of lots, showing dimensions and numbers and square footage of each lot
       9. Building lines showing setback dimensions throughout the subdivision
       10. Parcels of land proposed to be dedicated or reserved for schools, open space (indicating its use as park, playground, natural area, or other) or other public, semi-public or community purposes
       11. Streets, rights-of-way, and driveways within five hundred (500) feet on adjoining the site of the proposed subdivision showing the names, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks, and horizontal curve radii.
       12. Existing and proposed easements including the location, width, and purpose of such easements
       13. Location, size, and capacity of any public sewer and/or water utilities, if such facilities are available
       14. Location of natural streams, regulated drains, floodplain, pipelines, power lines, etc.
       15. A description of the surface drainage system to an approved outlet, including data showing that said outlet is adequate to accommodate the drainage requirements of the finished subdivision. Arrows designating the general drainage of all streets and lots shall be included.
       16. Location of any subsurface drainage required under the Storm Drainage, Erosion, and Sediment Control Ordinance and any amendments thereto, showing the location of all easements and all data pertaining to the size and capacity of such drainage
       17. The boundaries and numbers of sections shall be shown if the Primary Plat is to be divided into sections or phases of development.
       18. Protective covenants and restrictions which are properly prepared and legally sound shall, subject to the approval of the PPC.
       19. The required anti-monotony identification standards.
       20. Bufferyard, lighting and parking plans.
    2. Public Notice. In accordance with IC 36-7-4-705, once an application has been determined to be complete and meets all the requirements of this ordinance, the Administrator shall set a date for a public hearing before the PPC. Notice of public hearing shall be in accordance with the Rules and Procedures adopted by the PPC. The cost of notification shall be borne by the applicant.
    3. Decision by the PPC. Within thirty (30) days of the public hearing concerning an application for approval of a subdivision plat, the PPC shall notify the applicant in writing stating whether the Primary Plat is approved or disapproved.
       1. Approval. If the PPC determines that the Primary Plat complies with the standards set forth in this ordinance, it shall grant primary approval to the plat.
          1. The PPC may introduce such changes or revisions as are deemed necessary to the best interest and general welfare of the community.
          2. Approval of a Primary Plat by the PPC signifies the general acceptability of the layout submitted.
          3. Approval of a Primary Plat shall be effective for a maximum period of two (2) years unless, upon application of the applicant the PPC grants an extension. The PPC may extend approval of a Primary Plat to a maximum of four (4) years without further notice, public hearing, or fees.
       2. Disapproval. If the PPC disapproves a Primary Plat application, the PPC shall make written findings of fact and notify the applicant in writing within ten (10) days of the hearing, stating the specific reasons for disapproval. This written notice shall be signed by the PPC President and the Administrator.
  1. Secondary Plat.
     1. Application. After approval of the Primary Plat by the PPC and fulfillment of the requirements of this ordinance, the applicant shall submit to the Administrator a written application for Secondary Plat approval in accordance with the application packet adopted by the PPC as part of their Rules and Procedures. Such application shall be filed in accordance with filing deadlines outlined in the application packet. At the time of filing, the application shall be accompanied by a non-refundable application fee as indicated in the Fee Schedule. The Administrator shall forward one (1) copy to each of the individuals and agencies indicated in the previous section regarding Primary Plat Application. Those agencies or persons shall forward any comments or recommendations concerning said plat to the Administrator prior to the date of the scheduled TAC meeting.
     2. Plans.
        1. Plat. The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Secondary Plat shall be prepared and certified by a land surveyor and/or a professional engineer registered by the State of Indiana. The Secondary Plat may include all or only a part of the Primary Plat which has received approval. The following information shall be shown on the Secondary Plat, but not limited to:
           1. Name of subdivision and section number followed by the words “Secondary Plat”.
           2. Accurate boundary lines, with dimension and angles, which provide a legal survey of the tract, closing with an error of not more than one (1) foot in five thousand (5,000) feet.
           3. Accurate distances and directions to the nearest official monument. Reference corners shall be accurately described on the plan.
           4. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
           5. Accurate metes and bounds description of the tract boundary.
           6. Source of title of the applicant to the land as shown by the last entry in the books of the Orange County Recorder.
           7. Street names.
           8. Complete curve data for all curves included in the plan.
           9. Street lines with accurate dimensions in feet and hundredths of feet with angles to street, alley, and lot lines.
           10. Lot numbers and dimensions including the square footage of each lot.
           11. Accurate locations of easements for utilities and any limitations on such semi-public or community use.
           12. Accurate dimensions and plans for any property to be dedicated or reserved for open space or other public, semi-public, or common use.
           13. Building lines and setback dimensions throughout the subdivision.
           14. Location, type, material, and size of all monuments and markers.
           15. Plans and specifications for the improvements required in this ordinance.
           16. Final protective covenants and restrictions which are properly prepared and legally sound which shall be incorporated into the plat and restrictions of all types which will run with the land and become covenants in the deed for lots.
           17. The required anti-monotony identification standards.
           18. Name and address of the owner and subdivider.
           19. North point, scale, and date.
           20. Certification of dedication of streets and other public property.
           21. Final landscaping, lighting or parking plans shall be incorporated in the Secondary Plat design plans when requested by the Administrator or the PPC.
           22. Certificate of approval by the PPC.
        2. Construction Plans. It shall be the responsibility of the subdivider of every proposed subdivision to have prepared and certified by a land surveyor and/or professional engineer registered in the State of Indiana, a complete set of construction plans, including profiles, cross-sections, specifications, and other supporting data for all required public streets, utilities, and other facilities. The final construction plans shall be based on preliminary plans which have been approved with the Primary Plat, and shall be prepared, submitted, and distributed in conjunction with the Secondary Plat. The plans shall show the following:
           1. Construction plans shall be prepared for all required improvements. Plans shall be drawn on standard twenty-four (24) inch by thirty-six (36) inch sheets at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the Primary Plat.
           2. Topographic contours at intervals of one (1) foot if the general slope of the tract is less than five percent (5%) or intervals of two (2) feet if the slope exceeds five percent (5%). Contours shall be referenced to mean sea level elevations.
           3. Profiles showing existing and proposed elevations along center lines of all streets. Where a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets within one hundred (100) feet of the intersection. Approximate radii of all curves, lengths of tangents, and central angles on all streets. Complete curve data for all curves included in the plan.
           4. Where steep slopes exist, the PPC may require that cross-sections of all proposed streets at one hundred (100) foot stations shall be shown as follows: on a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, points twenty-five (25) feet inside each property line, edges of pavement, curbs, break points, and ditch lines.
           5. Plans and profiles showing the location and typical cross-section of streets including curbs and gutters, sidewalks, mailboxes, rights-of-way, drainage facilities, manholes, and catch basins: the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems: the location of street trees, street lighting standards, and street signs: and exact location and size of all water, gas, or other underground utilities or structures.
           6. Location, size, elevation, and other appropriate description of any other existing physical and natural features or facilities including features noted on the official maps of the Town, trees with a diameter of eight inches or more (measured four (4) feet above ground level), the points of connection to proposed facilities and utilities, and the approximate high- and low-water elevations of all ponds, lakes and streams. All elevations shall be referred to the USGS datum plane.
        3. Public Notice. Public notice for Secondary Plats shall be in accordance with the Rules and Procedures established by the PPC.
        4. Decision by the PPC. Within thirty (30) days after application for approval of the Secondary Plat, the PPC shall approve or disapprove it.
           1. Approval. If the PPC determines that the plat complies with the standards of this ordinance, it shall grant secondary approval to the plat. After necessary performance surety has been posted, the secondary approval of a plat by the PPC shall be certified on behalf of the PPC by the PPC President and the Administrator who shall affix their signatures to the plat original and all other relevant documents which also may require such signatures.

Recording. A plat of a subdivision may not be filed with the Orange County Auditor and the Orange County Recorder may not record it, unless it has been granted secondary approval by the PPC and has been properly signed by the PPC President and the Administrator. The filing and recording of the plat is without legal effect unless approved by the PPC. One copy of the recorded plat shall be forwarded to the Administrator and the Orange County Surveyor.

Improvement Location Permits. No Improvement Location Permit shall be issued by the Administrator, or his agent, for any structure on any subdivision lots prior to the following:

The recording of said subdivision by the Orange County Recorder, except for the purposes of public facilities, and

Installation and completion of all improvements, including grading, as shown on the development plans and approved by the PPC, except that in the case of an asphalt road surface, the installation of the final surface coat may be postponed until the end of the maintenance period. The final coat of asphalt shall be installed prior to acceptance of the road for public maintenance.

Written certification from the appropriate Highway Department and the Orange County Surveyor that improvements are complete.

The release of necessary performance surety and the posting of necessary maintenance surety.

* + - * 1. Disapproval. If the PPC disapproves the Secondary Plat, it shall make written findings of fact and notify the applicant in writing, stating the specific reasons for disapproval. This written notice shall be signed by the PPC President and the Administrator.
  1. Plats and Amendments. For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, or area reserved thereon for public use, or any lot line, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions, such change shall be approved by the PPC by the same procedure, rules, and regulations as for a new subdivision.
  2. Appeals. Reserved.
  3. Amendments. Reserved.
  4. Restrictions. Reserved.
     1. Refiling a Primary Plat. Any applicant shall be required to observe a six (6) month waiting period before refiling a Primary Plat for all or a portion of the same property which has been disapproved by the PPC.

1. **Commercial Subdivisions.** In creating commercial subdivisions, it is recognized that the subdivider often faces unique problems of lot design not normally encountered in residential subdivisions. For this reason, the initial emphasis of the PPC shall be upon street layout and lot arrangement.
   1. Pre-application. From the standpoint of economy of time and money, the subdivider must consult informally with the Administrator for advice and assistance prior to filing. This will enable the subdivider to become familiar with these and other regulations as they affect the area and will prevent unnecessary and costly revisions.
   2. Concept Plan. The Concept Plan is required as part of any application for Primary Plat approval for major subdivisions. The applicant shall submit the Concept Plan to a public meeting of the PPC prior to the Primary Plat hearing for the purpose of discussion and recommendations. The Concept Plan shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plan may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Concept Plan shall consist of a site analysis map and a site development map.
      1. Site Analysis Map. A location map which may be prepared by indicating the required information by notation on available maps of an appropriate scale. The purpose of the site analysis map is to indicate consideration and respect for the unique features of a site. A site analysis map shall include the following:
         1. Location of the proposed subdivision, including adjacent parcels of land;
         2. Existing schools, parks, fire, police, and emergency medical (EMS) facilities that will serve the subdivision;
         3. Public thoroughfares that will serve the subdivision;
         4. Water and sewer services to serve the subdivision, if applicable.
         5. Primary Conservation Areas;
         6. Secondary Conservation Areas;
         7. Location of streets and thoroughfares including those in contiguous subdivisions or undeveloped property;
         8. Other unique features or characteristics of the site such as views (to and from the site), impacts (by the subdivision or by surrounding elements) and geographical features;
         9. Indication of the resulting prime location for primary structures after site analysis.
      2. Site Development Map. The site development map shall indicate the proposed layout of the subdivision, including streets, lots, primary structures, and common areas. In coordination with a Primary Plat application, the Primary Plat may act as the site development map.
      3. Public Notice. A placard displaying the public meeting date and relevant information for the Concept Plan will be posted on the subject site in a prominent, visible location as the notice of public hearing. The non-refundable cost of the placard shall be borne by the applicant at the time of filing as noted in the Fee Schedule.
      4. Public Meeting. The Concept Plan shall go before the PPC for presentation to and suggestions by the PPC. While no official action shall be taken, the PPC shall mandate impact assessments to be performed prior to application for Primary Plat.
      5. Impact Assessment. As a result of Concept Plan review, the PPC may require that impact assessments be done for discussion at the time of the Primary Plat hearing. Impact assessment shall be performed by a qualified professional with training, experience, and expertise in the field relevant to the specific section of the study in which work shall be performed. The PPC shall mandate such studies at the expense of the applicant and of the professional of choice of the PPC. Such assessment may include any of the following: traffic and transportation; tax base; water and sewer service; fire, police, and emergency services; schools; parks. Any additional expense necessary to ensure adequate information, reports, or plans shall be met by the applicant.
   3. Primary Plat.
      1. Format. For Primary Plats for commercial subdivisions, the subdivider need show a minimum of two (2) lots along with the street and block layout.
      2. Application. A subdivider desiring approval of a Primary Plat of a subdivision of any land lying within Paoli shall submit their application in accordance with the application packet adopted by the PPC as part of their Rules and Procedures. The application shall be in accordance with filing deadlines outlined in the application packet. The application shall be accompanied by an application fee as indicated in the Fee Schedule. The application fee shall be non-refundable. Of the application copies submitted, the Administrator shall forward one (1) copy to each of the persons listed below. These agencies, persons, or Town Officials shall forward any comments or recommendations concerning said plat to the Administrator prior to the date of the scheduled TAC meeting.
         1. Orange County Surveyor
         2. Orange County Health Department
         3. Natural Resource Conservation Service Soil Conservationist
         4. Paoli Engineer or town’s designee
         5. Applicable public utility which may be affected
         6. Applicable road or highway superintendent
         7. Applicable School Superintendent
         8. Applicable Safety Services
      3. Plans. The Primary Plat shall be required as part of any application for Primary Plat approval. If applicable, the applicant shall submit proof of secured public sewer and/or public water connection. The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Primary Plat shall be prepared and certified by a land surveyor and/or a professional engineer registered by the State of Indiana. A primary subdivision plat shall be submitted showing the following, but not limited to:
         1. The proposed name of the subdivision
         2. Names and addresses of the owner, subdivider, and consulting engineer, land surveyor, or planning firm that prepared the plan
         3. Legend and notes including the scale, north point, and date
         4. Tract boundary lines showing dimensions, bearings, angles, and references to section, township, and range lines or corners
         5. Existing zoning of the tract and all contiguous tracts surrounding the proposed subdivision
         6. All section and municipal corporate boundaries lying within or contiguous to the tract
         7. Topographic contours at typical intervals of one(1) foot if the general slope of the tract is less than five percent (5%), or intervals of two (2) feet if the slope is in excess of five percent(5%). Said contours shall be referenced to mean sea level elevations
         8. Layout of lots, showing dimensions and numbers and square footage of each lot
         9. Building lines showing setback dimensions throughout the subdivision
         10. Parcels of land proposed to be dedicated or reserved for schools, open space (indicating its use as park, playground, natural area, or other) or other public, semi-public or community purposes
         11. Streets, rights-of-way, and driveways within five hundred (500) feet on adjoining the site of the proposed subdivision showing the names, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks, and horizontal curve radii.
         12. Existing and proposed easements including the location, width, and purpose of such easements
         13. Location, size, and capacity of any public sewer and/or water utilities, if such facilities are available
         14. Location of natural streams, regulated drains, floodplain, pipelines, power lines, etc.
         15. A description of the surface drainage system to an approved outlet, including data showing that said outlet is adequate to accommodate the drainage requirements of the finished subdivision. Arrows designating the general drainage of all streets and lots shall be included.
         16. Location of any subsurface drainage required under the Storm Drainage, Erosion, and Sediment Control Ordinance and any amendments thereto, showing the location of all easements and all data pertaining to the size and capacity of such drainage
         17. The boundaries and numbers of sections shall be shown if the Primary Plat is to be divided into sections or phases of development.
         18. Protective covenants and restrictions which are properly prepared and legally sound shall, subject to the approval of the PPC.
         19. The required anti-monotony identification standards.
         20. Bufferyard, lighting and parking plans.
      4. Public Notice. Once an application has been determined to be complete and meets all the requirements of this ordinance, the Administrator shall set a date for a public hearing before the PPC. Notice of public hearing shall be in accordance with the Rules and Procedures adopted by the PPC. The cost of notification shall be borne by the applicant.
      5. Decision by the PPC. Within thirty (30) days of the public hearing concerning an application for approval of a subdivision plat, the PPC shall notify the applicant in writing stating whether the Primary Plat is approved or disapproved.
         1. Approval. If the PPC determines that the Primary Plat complies with the standards set forth in this ordinance, it shall grant primary approval to the plat.
            1. The PPC may introduce such changes or revisions as are deemed necessary to the best interest and general welfare of the community.
            2. Approval of a Primary Plat by the PPC signifies the general acceptability of the layout submitted.
            3. Approval of a Primary Plat shall be effective for a maximum period of two (2) years unless, upon application of the applicant the PPC grants an extension. The PPC may extend approval of a Primary Plat to a maximum of four (4) years without further notice, public hearing, or fees.
         2. Disapproval. If the PPC disapproves a Primary Plat application, the PPC shall make written findings of fact and notify the applicant in writing within ten (10) days of the hearing, stating the specific reasons for disapproval. This written notice shall be signed by the PPC President and the Administrator.
   4. Secondary Plat.
      1. Format. The Secondary Plat for Commercial subdivisions may be done in one of three (3) ways:
         1. Full Plat. The subdivider may submit the Secondary Plat for the entire subdivision and then amend the Secondary Plat as may be necessary.
         2. Individual Lot. The subdivider may submit the Secondary Plat for each lot which will include all necessary infrastructure serving such lot.
         3. Individual Lot with Development Plan.
         4. The subdivider may submit the Secondary Plat or an individual lot along with the application for Development Plan.
      2. Application. After approval of the Primary Plat by the PPC and fulfillment of the requirements of this ordinance, the applicant shall submit to the Administrator a written application for Secondary Plat approval in accordance with the application packet adopted by the PPC as part of their Rules and Procedures. Such application shall be filed in accordance with filing deadlines outlined in the application packet. At the time of filing, the application shall be accompanied by a non-refundable application fee as indicated in the Fee Schedule. The Administrator shall forward one (1) copy to each of the individuals and agencies indicated in the previous section regarding Primary Plat Application. Those agencies or persons shall forward any comments or recommendations concerning said plat to the Administrator prior to the date of the scheduled TAC meeting.
      3. Plans.
         1. Plat. The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Secondary Plat shall be prepared and certified by a land surveyor and/or a professional engineer registered by the State of Indiana. The Secondary Plat may include all or only a part of the Primary Plat which has received approval. The following information shall be shown on the Secondary Plat, but not limited to:
            1. Name of subdivision and section number followed by the words “Secondary Plat”.
            2. Accurate boundary lines, with dimension and angles, which provide a legal survey of the tract, closing with an error of not more than one (1) foot in five thousand (5,000) feet.
            3. Accurate distances and directions to the nearest official monument. Reference corners shall be accurately described on the plan.
            4. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
            5. Accurate metes and bounds description of the tract boundary.
            6. Source of title of the applicant to the land as shown by the last entry in the books of the Orange County Recorder.
            7. Street names.
            8. Complete curve data for all curves included in the plan.
            9. Street lines with accurate dimensions in feet and hundredths of feet with angles to street, alley, and lot lines.
            10. Lot numbers and dimensions including the square footage of each lot.
            11. Accurate locations of easements for utilities and any limitations on such semi-public or community use.
            12. Accurate dimensions and plans for any property to be dedicated or reserved for open space or other public, semi-public, or common use.
            13. Building lines and setback dimensions throughout the subdivision.
            14. Location, type, material, and size of all monuments and markers.
            15. Plans and specifications for the improvements required in this ordinance.
            16. Final protective covenants and restrictions which are properly prepared and legally sound which shall be incorporated into the plat and restrictions of all types which will run with the land and become covenants in the deed for lots.
            17. The required anti-monotony identification standards.
            18. Name and address of the owner and subdivider.
            19. North point, scale, and date.
            20. Certification of dedication of streets and other public property.
            21. Final landscaping, lighting or parking plans shall be incorporated in the Secondary Plat design plans when requested by the Administrator or the PPC.
            22. Certificate of approval by the PPC.
         2. Construction Plans. It shall be the responsibility of the subdivider of every proposed subdivision to have prepared and certified by a land surveyor and/or professional engineer registered in the State of Indiana, a complete set of construction plans, including profiles, cross-sections, specifications, and other supporting data for all required public streets, utilities, and other facilities. The final construction plans shall be based on preliminary plans which have been approved with the Primary Plat, and shall be prepared, submitted, and distributed in conjunction with the Secondary Plat. The plans shall show the following:
            1. Construction plans shall be prepared for all required improvements. Plans shall be drawn on standard twenty-four (24) inch by thirty-six (36) inch sheets at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the Primary Plat.
            2. Topographic contours at intervals of one (1) foot if the general slope of the tract is less than five percent (5%) or intervals of two (2) feet if the slope exceeds five percent (5%). Contours shall be referenced to mean sea level elevations.
            3. Profiles showing existing and proposed elevations along center lines of all streets. Where a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets within one hundred (100) feet of the intersection. Approximate radii of all curves, lengths of tangents, and central angles on all streets. Complete curve data for all curves included in the plan.
            4. Where steep slopes exist, the PPC may require that cross-sections of all proposed streets at one hundred (100) foot stations shall be shown as follows: on a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, points twenty-five (25) feet inside each property line, edges of pavement, curbs, break points, and ditch lines.
            5. Plans and profiles showing the location and typical cross-section of streets including curbs and gutters, sidewalks, mailboxes, rights-of-way, drainage facilities, manholes, and catch basins: the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems: the location of street trees, street lighting standards, and street signs: and exact location and size of all water, gas, or other underground utilities or structures.
            6. Location, size, elevation, and other appropriate description of any other existing physical and natural features or facilities including features noted on the official maps of the Town, trees with a diameter of eight inches or more (measured four (4) feet above ground level), the points of connection to proposed facilities and utilities, and the approximate high- and low-water elevations of all ponds, lakes and streams. All elevations shall be referred to the USGS datum plane.
      4. Public Notice. Public notice for Secondary Plats shall be in accordance with the Rules and Procedures established by the PPC.
      5. Decision by the PPC. Within thirty (30) days after application for approval of the Secondary Plat, the PPC shall approve or disapprove it.
         1. Approval. If the PPC determines that the plat complies with the standards of this ordinance, it shall grant secondary approval to the plat. After necessary performance surety has been posted, the secondary approval of a plat by the PPC shall be certified on behalf of the PPC by the PPC President and the Administrator who shall affix their signatures to the plat original and all other relevant documents which also may require such signatures.
            1. Recording. A plat of a subdivision may not be filed with the Orange County Auditor and the Orange County Recorder may not record it, unless it has been granted secondary approval by the PPC and has been properly signed by the PPC President and the Administrator. The filing and recording of the plat is without legal effect unless approved by the PPC. One copy of the recorded plat shall be forwarded to the Administrator and the Orange County Surveyor.
            2. Improvement Location Permits. No Improvement Location Permit shall be issued by the Administrator, or his agent, for any structure on any subdivision lots prior to the following:

The recording of said subdivision by the Orange County Recorder, except for the purposes of public facilities, and

Installation and completion of all improvements, including grading, as shown on the development plans and approved by the PPC, except that in the case of an asphalt road surface, the installation of the final surface coat may be postponed until the end of the maintenance period. The final coat of asphalt shall be installed prior to acceptance of the road for public maintenance.

Written certification from the appropriate Highway Department and the Orange County Surveyor that improvements are complete.

The release of necessary performance surety and the posting of necessary maintenance surety.

* + - 1. Disapproval. If the PPC disapproves the Secondary Plat, it shall make written findings of fact and notify the applicant in writing, stating the specific reasons for disapproval. This written notice shall be signed by the PPC President and the Administrator.
  1. Plats and Amendments. As prospective buyers or users express interest in lots sized to their required specifications, the owner shall submit an amendment to the approved recorded subdivision plat for consideration. Streets that have been built by following an approved set of plans on the previously approved Secondary Plat shall not have to be rebuilt because of the adoption of new criteria by the PPC. This shall also apply to storm drainage facilities within said subdivision unless runoff characteristics have been changed by the newly proposed improvements or by unauthorized existing improvements.
  2. Appeals. Reserved.
  3. Amendments. Reserved.
  4. Restrictions. Reserved.

1. **Industrial Subdivisions.** In creating industrial subdivisions, it is recognized that the subdivider often faces unique problems of lot design not normally encountered in residential subdivisions. For this reason, the initial emphasis of the PPC shall be upon street layout and lot arrangement.
   1. Pre-application. From the standpoint of economy of time and money, the subdivider must consult informally with the Administrator for advice and assistance prior to filing. This will enable the subdivider to become familiar with these and other regulations as they affect the area and will prevent unnecessary and costly revisions.
   2. Concept Plan. The Concept Plan is required as part of any application for Primary Plat approval for major subdivisions. The applicant shall submit the Concept Plan to a public meeting of the PPC prior to the Primary Plat hearing for the purpose of discussion and recommendations. The Concept Plan shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plan may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Concept Plan shall consist of a site analysis map and a site development map.
      1. Site Analysis Map. A location map which may be prepared by indicating the required information by notation on available maps of an appropriate scale. The purpose of the site analysis map is to indicate consideration and respect for the unique features of a site. A site analysis map shall include the following:
         1. Location of the proposed subdivision, including adjacent parcels of land;
         2. Existing schools, parks, fire, police, and emergency medical (EMS) facilities that will serve the subdivision;
         3. Public thoroughfares that will serve the subdivision;
         4. Water and sewer services to serve the subdivision, if applicable.
         5. Primary Conservation Areas;
         6. Secondary Conservation Areas;
         7. Location of streets and thoroughfares including those in contiguous subdivisions or undeveloped property;
         8. Other unique features or characteristics of the site such as views (to and from the site), impacts (by the subdivision or by surrounding elements) and geographical features;
         9. Indication of the resulting prime location for primary structures after site analysis.
      2. Site Development Map. The site development map shall indicate the proposed layout of the subdivision, including streets, lots, primary structures, and common areas. In coordination with a Primary Plat application, the Primary Plat may act as the site development map.
      3. Public Notice. A placard displaying the public meeting date and relevant information for the Concept Plan will be posted on the subject site in a prominent, visible location as the notice of public hearing. The non-refundable cost of the placard shall be borne by the applicant at the time of filing as noted in the Fee Schedule.
      4. Public Meeting. The Concept Plan shall go before the PPC for presentation to and suggestions by the PPC. While no official action shall be taken, the PPC shall mandate impact assessments to be performed prior to application for Primary Plat.
      5. Impact Assessment. As a result of Concept Plan review, the PPC may require that impact assessments be done for discussion at the time of the Primary Plat hearing. Impact assessment shall be performed by a qualified professional with training, experience, and expertise in the field relevant to the specific section of the study in which work shall be performed. The PPC shall mandate such studies at the expense of the applicant and of the professional of choice of the PPC. Such assessment may include any of the following: traffic and transportation; tax base; water and sewer service; fire, police, and emergency services; schools; parks. Any additional expense necessary to ensure adequate information, reports, or plans shall be met by the applicant.
   3. Primary Plat.
      1. Format. For Primary Plats for Industrial subdivisions, the subdivider need show a minimum of two (2) lots along with the street and block layout.
      2. Application. A subdivider desiring approval of a Primary Plat of a subdivision of any land lying within Paoli shall submit their application in accordance with the application packet adopted by the PPC as part of their Rules and Procedures. The application shall be in accordance with filing deadlines outlined in the application packet. The application shall be accompanied by an application fee as indicated in the Fee Schedule. The application fee shall be non-refundable. Of the application copies submitted, the Administrator shall forward one (1) copy to each of the following:
         1. Orange County Surveyor
         2. Orange County Health Department
         3. Natural Resource Conservation Service Soil Conservationist
         4. Paoli Engineer or the town’s designee
         5. Applicable public utility which may be affected
         6. Applicable road or highway superintendent
         7. Applicable School Superintendent
         8. Applicable Safety Services

\*\*The above listed agencies, persons, or Town Officials shall forward any comments or recommendations concerning said plat to the Administrator prior to the date of the scheduled TAC meeting.

* + 1. Plans. The Primary Plat shall be required as part of any application for Primary Plat approval. If applicable, the applicant shall submit proof of secured public sewer and/or public water connection. The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Primary Plat shall be prepared and certified by a land surveyor and/or a professional engineer registered by the State of Indiana. A primary subdivision plat shall be submitted showing the following, but not limited to:
       1. The proposed name of the subdivision
       2. Names and addresses of the owner, subdivider, and consulting engineer, land surveyor, or planning firm that prepared the plan
       3. Legend and notes including the scale, north point, and date
       4. Tract boundary lines showing dimensions, bearings, angles, and references to section, township, and range lines or corners
       5. Existing zoning of the tract and all contiguous tracts surrounding the proposed subdivision
       6. All section and municipal corporate boundaries lying within or contiguous to the tract
       7. Topographic contours at typical intervals of one(1) foot if the general slope of the tract is less than five percent (5%), or intervals of two (2) feet if the slope is in excess of five percent(5%). Said contours shall be referenced to mean sea level elevations
       8. Layout of lots, showing dimensions and numbers and square footage of each lot
       9. Building lines showing setback dimensions throughout the subdivision
       10. Parcels of land proposed to be dedicated or reserved for schools, open space (indicating its use as park, playground, natural area, or other) or other public, semi-public or community purposes
       11. Streets, rights-of-way, and driveways within five hundred (500) feet on adjoining the site of the proposed subdivision showing the names, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks, and horizontal curve radii.
       12. Existing and proposed easements including the location, width, and purpose of such easements
       13. Location, size, and capacity of any public sewer and/or water utilities, if such facilities are available
       14. Location of natural streams, regulated drains, floodplain, pipelines, power lines, etc.
       15. A description of the surface drainage system to an approved outlet, including data showing that said outlet is adequate to accommodate the drainage requirements of the finished subdivision. Arrows designating the general drainage of all streets and lots shall be included.
       16. Location of any subsurface drainage required under the Storm Drainage, Erosion, and Sediment Control Ordinance and any amendments thereto, showing the location of all easements and all data pertaining to the size and capacity of such drainage
       17. The boundaries and numbers of sections shall be shown if the Primary Plat is to be divided into sections or phases of development.
       18. Protective covenants and restrictions which are properly prepared and legally sound shall, subject to the approval of the PPC.
       19. The required anti-monotony identification standards.
       20. Bufferyard, lighting and parking plans.
    2. Public Notice. Once an application has been determined to be complete and meets all the requirements of this ordinance, the Administrator shall set a date for a public hearing before the PPC. Notice of public hearing shall be in accordance with the Rules and Procedures adopted by the PPC. The cost of notification shall be borne by the applicant.
    3. Decision by the PPC. Within thirty (30) days of the public hearing concerning an application for approval of a subdivision plat, the PPC shall notify the applicant in writing stating whether the Primary Plat is approved or disapproved.
       1. Approval. If the PPC determines that the Primary Plat complies with the standards set forth in this ordinance, it shall grant primary approval to the plat.
          1. The PPC may introduce such changes or revisions as are deemed necessary to the best interest and general welfare of the community.
          2. Approval of a Primary Plat by the PPC signifies the general acceptability of the layout submitted.
          3. Approval of a Primary Plat shall be effective for a maximum period of two (2) years unless, upon application of the applicant the PPC grants an extension. The PPC may extend approval of a Primary Plat to a maximum of four (4) years without further notice, public hearing, or fees.
       2. Disapproval. If the PPC disapproves a Primary Plat application, the PPC shall make written findings of fact and notify the applicant in writing within ten (10) days of the hearing, stating the specific reasons for disapproval. This written notice shall be signed by the PPC President and the Administrator.
  1. Secondary Plat.
     1. Format. The Secondary Plat for Industrial subdivisions may be done in one of three (3) ways:
        1. Full Plat. The subdivider may submit the Secondary Plat for the entire subdivision and then amend the Secondary Plat as may be necessary.
        2. Individual Lot. The subdivider may submit the Secondary Plat for each lot which will include all necessary infrastructure serving such lot.
        3. Individual Lot with Development Plan.
        4. The subdivider may submit the Secondary Plat or an individual lot along with the application for Development Plan.
     2. Application. After approval of the Primary Plat by the PPC and fulfillment of the requirements of this ordinance, the applicant shall submit to the Administrator a written application for Secondary Plat approval in accordance with the application packet adopted by the PPC as part of their Rules and Procedures. Such application shall be filed in accordance with filing deadlines outlined in the application packet. At the time of filing, the application shall be accompanied by a non-refundable application fee as indicated in the Fee Schedule. The Administrator shall forward one (1) copy to each of the individuals and agencies indicated in the previous section regarding Primary Plat Application. Those agencies or persons shall forward any comments or recommendations concerning said plat to the Administrator prior to the date of the scheduled TAC meeting.
     3. Plans.
        1. Plat. The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale requires more than one (1) sheet, the plat may be drawn at a scale of one hundred (100) feet to one (1) inch. Sheets shall not exceed twenty-four (24) inches by thirty-six (36) inches in size. The Secondary Plat shall be prepared and certified by a land surveyor and/or a professional engineer registered by the State of Indiana. The Secondary Plat may include all or only a part of the Primary Plat which has received approval. The following information shall be shown on the Secondary Plat, but not limited to:
           1. Name of subdivision and section number followed by the words “Secondary Plat”.
           2. Accurate boundary lines, with dimension and angles, which provide a legal survey of the tract, closing with an error of not more than one (1) foot in five thousand (5,000) feet.
           3. Accurate distances and directions to the nearest official monument. Reference corners shall be accurately described on the plan.
           4. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
           5. Accurate metes and bounds description of the tract boundary.
           6. Source of title of the applicant to the land as shown by the last entry in the books of the Orange County Recorder.
           7. Street names.
           8. Complete curve data for all curves included in the plan.
           9. Street lines with accurate dimensions in feet and hundredths of feet with angles to street, alley, and lot lines.
           10. Lot numbers and dimensions including the square footage of each lot.
           11. Accurate locations of easements for utilities and any limitations on such semi-public or community use.
           12. Accurate dimensions and plans for any property to be dedicated or reserved for open space or other public, semi-public, or common use.
           13. Building lines and setback dimensions throughout the subdivision.
           14. Location, type, material, and size of all monuments and markers.
           15. Plans and specifications for the improvements required in this ordinance.
           16. Final protective covenants and restrictions which are properly prepared and legally sound which shall be incorporated into the plat and restrictions of all types which will run with the land and become covenants in the deed for lots.
           17. The required anti-monotony identification standards.
           18. Name and address of the owner and subdivider.
           19. North point, scale, and date.
           20. Certification of dedication of streets and other public property.
           21. Final landscaping, lighting or parking plans shall be incorporated in the Secondary Plat design plans when requested by the Administrator or the PPC.
           22. Certificate of approval by the PPC.
        2. Construction Plans. It shall be the responsibility of the subdivider of every proposed subdivision to have prepared and certified by a land surveyor and/or professional engineer registered in the State of Indiana, a complete set of construction plans, including profiles, cross-sections, specifications, and other supporting data for all required public streets, utilities, and other facilities. The final construction plans shall be based on preliminary plans which have been approved with the Primary Plat, and shall be prepared, submitted, and distributed in conjunction with the Secondary Plat. The plans shall show the following:
           1. Construction plans shall be prepared for all required improvements. Plans shall be drawn on standard twenty-four (24) inch by thirty-six (36) inch sheets at a scale of no more than one (1) inch equals fifty (50) feet, and map sheets shall be of the same size as the Primary Plat.
           2. Topographic contours at intervals of one (1) foot if the general slope of the tract is less than five percent (5%) or intervals of two (2) feet if the slope exceeds five percent (5%). Contours shall be referenced to mean sea level elevations.
           3. Profiles showing existing and proposed elevations along center lines of all streets. Where a proposed street intersects an existing street or streets, the elevation along the center line of the existing street or streets within one hundred (100) feet of the intersection. Approximate radii of all curves, lengths of tangents, and central angles on all streets. Complete curve data for all curves included in the plan.
           4. Where steep slopes exist, the PPC may require that cross-sections of all proposed streets at one hundred (100) foot stations shall be shown as follows: on a line at right angles to the center line of the street, and said elevation points shall be at the center line of the street, each property line, points twenty-five (25) feet inside each property line, edges of pavement, curbs, break points, and ditch lines.
           5. Plans and profiles showing the location and typical cross-section of streets including curbs and gutters, sidewalks, mailboxes, rights-of-way, drainage facilities, manholes, and catch basins: the location, size, and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any existing or proposed utility systems: the location of street trees, street lighting standards, and street signs: and exact location and size of all water, gas, or other underground utilities or structures.
           6. Location, size, elevation, and other appropriate description of any other existing physical and natural features or facilities including features noted on the official maps of the Town, trees with a diameter of eight inches or more (measured four (4) feet above ground level), the points of connection to proposed facilities and utilities, and the approximate high- and low-water elevations of all ponds, lakes and streams. All elevations shall be referred to the USGS datum plane.
     4. Public Notice. Public notice for Secondary Plats shall be in accordance with the Rules and Procedures established by the PPC.
     5. Decision by the PPC. Within thirty (30) days after application for approval of the Secondary Plat, the PPC shall approve or disapprove it.
        1. Approval. If the PPC determines that the plat complies with the standards of this ordinance, it shall grant secondary approval to the plat. After necessary performance surety has been posted, the secondary approval of a plat by the PPC shall be certified on behalf of the PPC by the PPC President and the Administrator who shall affix their signatures to the plat original and all other relevant documents which also may require such signatures.
           1. Recording. A plat of a subdivision may not be filed with the Orange County Auditor and the Orange County Recorder may not record it, unless it has been granted secondary approval by the PPC and has been properly signed by the PPC President and the Administrator. The filing and recording of the plat is without legal effect unless approved by the PPC. One copy of the recorded plat shall be forwarded to the Administrator and the Orange County Surveyor.
           2. Improvement Location Permits. No Improvement Location Permit shall be issued by the Administrator, or his agent, for any structure on any subdivision lots prior to the following:

The recording of said subdivision by the Orange County Recorder, except for the purposes of public facilities, and

Installation and completion of all improvements, including grading, as shown on the development plans and approved by the PPC, except that in the case of an asphalt road surface, the installation of the final surface coat may be postponed until the end of the maintenance period. The final coat of asphalt shall be installed prior to acceptance of the road for public maintenance.

Written certification from the appropriate Highway Department and the Orange County Surveyor that improvements are complete.

The release of necessary performance surety and the posting of necessary maintenance surety.

* + - 1. Disapproval. If the PPC disapproves the Secondary Plat, it shall make written findings of fact and notify the applicant in writing, stating the specific reasons for disapproval. This written notice shall be signed by the PPC President and the Administrator.
  1. Plats and Amendments. As prospective buyers or users express interest in lots sized to their required specifications, the owner shall submit an amendment to the approved recorded subdivision plat for consideration. Streets that have been built by following an approved set of plans on the previously approved Secondary Plat shall not have to be rebuilt because of the adoption of new criteria by the PPC. This shall also apply to storm drainage facilities within said subdivision unless runoff characteristics have been changed by the newly proposed improvements or by unauthorized existing improvements.
  2. Appeals. Reserved.
  3. Amendments. Reserved.
  4. Restrictions. Reserved.

1. **Waivers**
   1. Subdivisions.
      1. Where the subdivider can show that a provision of this ordinance would cause unnecessary hardship if strictly adhered to and where, in the opinion of the PPC, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provisions, the PPC may authorize a waiver, pursuant to IC 36-7-4-702(c). Any waiver must be requested at the time of Primary Plat or Secondary Plat application. Any waiver thus authorized is required to be entered in writing in the minutes of the PPC and the reasoning on which the departure was justified shall be set forth.
      2. Pursuant to IC 36-7-4-702(c), the standards for subdivisions may be waived at the discretion of the PPC; however, to be approved, the plat must still meet all applicable standards prescribed in the UDO (other than standards modified by variance by the BZA). As a condition of granting a waiver, the PPC may allow or require a commitment(s) to be made under the Rules Governing Commitments.
2. **Performance and Maintenance Sureties**
   1. Performance Surety. Before the plat is signed by the officers of the PPC or is recorded, the subdivider shall file a performance bond or irrevocable letter of credit with the Administrator.
      1. Letter of Credit or Bond. The performance bond or letter of credit shall:
         1. Cover one hundred percent (100%) of the installation costs of the streets, surface swales, subsurface and storm drainage systems, and seeding/erosion control.
         2. Run to the Town Council.
         3. Be in an amount determined by the Town Council to be sufficient to complete the improvements and installations in compliance with this ordinance. The subdivider’s engineer shall supply an estimate of the cost of improvements and installations on the project to aid in determination of the amount of surety. The engineer’s estimate, however, shall not be binding.
         4. Be with surety satisfactory to the Town Council. Comply with all statutory requirements and shall be satisfactory to the counsel for the Town Council as to form, sufficiency, and manner of execution as set forth in these regulations.
      2. Responsibility of the Subdivider. All required improvements shall be made by the applicant, at his expense, without reimbursement by the Town.
         1. In those cases where performance surety has been posted and required improvements have not been installed within the terms of such performance surety, the Town may thereupon declare the surety to be in default and require that all the improvements be installed regardless of the extent of the building development at the time the surety is declared to be in default.
         2. Any money received from the surety or otherwise shall be used only for making the improvements and installations for which the surety was provided.
         3. The subdivider shall be required to maintain at his expense a certified civil engineer or engineering firm on the job site to manage the construction of the subdivision improvements. The on-site engineer shall certify that the subdivision construction is in compliance with the detailed construction plans submitted to the PPC during the review of the Secondary Plat. The on-site engineer shall submit weekly progress reports to the Administrator during construction and should notify the Administrator, Paoli Engineer, and other appropriate officials when important work has been scheduled so that the Town may conduct an inspection. A final report shall be submitted to the PPC and the Town Council by the engineer or his firm. If the Paoli Engineer (or the town’s designee) finds upon inspection that any of the required improvements have not been constructed in accordance with the Town’s construction standards and specifications, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by performance surety, the applicant and the bonding company shall be severally and jointly liable for completing the improvement according to specifications.
         4. The Town Council shall not accept any of the required improvements nor release the performance surety until the applicable officials have submitted a final inspection report. Such a report shall state that all required improvements have been satisfactorily completed and that the layout of all public improvements is in accordance with the construction plans submitted by the subdivider’s engineer for the development. Only after this step should the Town Council consider acceptance of the improvements and the release of the performance surety.
      3. Affidavit Requirement for Residential Subdivisions. An owner of a single family lot shall be required to submit an affidavit at the time of application for an Improvement Location Permit. The affidavit must provide the following requirements on the signed document:
         1. A narrative portion which describes the developer’s responsibility to disclose to all builders the platting requirements of the anti-monotony zoning provisions which will be enforced by the PPC;
         2. A detailed list of all pre-conditioned platting requirements that are required for the intended residential lot; and
         3. A narrative portion which discloses the anti-monotony platting requirements will not be subject to change, unless a plat amendment is filed with the PPC.
      4. Inspections.
         1. Road Inspection. It shall be the duty of the subdivider to notify the appropriate Highway Department before any construction commences on the curbs, gutters, public walks, or roads in the subdivision, such that the inspector may run any and all tests required during the construction period.
         2. Sewer and Water Inspection. It shall be the duty of the subdivider to notify the applicable sewer utility and water utility, before any construction commences such that the Sanitarian may run any and all tests required on the sewage disposal and water supply facilities in said subdivision.
         3. Drainage Inspection. It shall be the duty of the subdivider to notify the Orange County Surveyor before commencing construction so that any and all tests may be run on the drainage structures and the grading of the subdivision during the entire construction period.
      5. Completion Period. The period within which required improvements must be completed shall not in any event exceed two (2) years from date of final approval.
      6. Extension. The Town Council may, upon proof of difficulty, extend the completion date set forth in such surety for a maximum period of one (1) additional year. The Town Council may at any time during the period of such surety accept a substitution of principal or sureties on the surety upon recommendation of counsel for the Town Council.
   2. Maintenance Surety. Upon completion of all subdivision improvements and the release of the performance surety and prior to acceptance of these improvements into the Paoli maintenance system, the subdivider shall provide a three (3) year maintenance bond or irrevocable letter of credit. Upon completion of all infrastructure installation, the plans for such systems as built shall be filed with the office of the PPC.
      1. Letter of Credit or Bond. The maintenance bond or letter of credit shall:
         1. Be in an amount equal to twenty percent (20%) of the cost of said improvements and installations as indicated in establishment of the performance surety.
         2. Cover any necessary maintenance needed for the streets, surface swales, subsurface and storm drainage systems, and seeding/erosion control during the three (3) year maintenance period.
         3. Run to the Town Council.
         4. Provide surety satisfactory to the Town Council.
      2. Responsibility of the Subdivider.
         1. The subdivider shall warrant the workmanship and all materials used in the construction, installation, and completion of said improvements and installations to be of good quality and have been constructed and completed in a workmanlike manner in accordance with the standards, specifications, and requirements of this ordinance and the satisfactory plans and specifications for the subdivision by the PPC.
         2. Any money received from the surety or otherwise shall be used only for making the improvements and installations for which the surety was provided.
      3. Affidavit Requirement for Residential Subdivisions.
      4. Inspections. Near the end of the three (3) year maintenance period and before the maintenance surety is scheduled to expire, the Administrator shall schedule an inspection of the subdivision. If the applicable officials find upon inspection that any of the required improvements are in need of repair, he shall notify the Administrator, the Town Council, and subdivider of those items in need of repair, and he shall prepare a report documenting such items. The subdivider shall be required to complete the repairs and upon the satisfactory completion of such repairs may request that the Town Council assume maintenance of all subdivision improvements and release the maintenance bond. Until acceptance of the subdivision improvements by the Town, it shall be the responsibility of the subdivider to maintain the subdivision to the standards of the Town.

**Paoli Unified Development Ordinance**

**Chapter 10: General Definitions**

1. **General**

For the purpose of this ordinance, certain terms or words used herein shall be interpreted or defined as follows. Words used in the present tense include the future tense. The term “shall” meansmandatory. For any terms or words not found, the definition in the current edition of the *Merriam-Webster’s Dictionary* shall apply.

**ABANDONED.** Any use or structure (principal, accessory, land use, etc.) that has not been utilized for its principal function for a period of six (6) consecutive months as documented by any means necessary by the Administrator.

**ACCESS STREET, MARGINAL**. See “Street, Marginal Access”.

**ACCESSORY STRUCTURE**. A subordinate building or structure detached from but located on the same lot as a principal building which does not alter or change the character of the premises. Agricultural buildings, public utility communications, electric, gas, water, and sewer lines, their supports and incidental equipment, and public telephone booths shall be considered accessory structures even though no principal building exists on the premises.

**ACCESSORY USE** (see also “HOME OCCUPATION”). A use that:

is clearly incidental and customarily found in connection with a principal building or use;

is subordinate to and serves the principal use;

is subordinate in area, extent, or purpose to the principal use served;

contributes to the comfort, convenience, or necessity of occupants, business, or industry of the principal use served;

is located on the same lot as the principal use served.

**ACT**. A bill which has passed through the various legislative steps required for it and which has become law..

**ADMINISTRATOR**. The Paoli Town Council or a person designated by the Paoli Town Council to provide staff support to the PPC and BZA and to enforce the Zoning Ordinance under the supervision of the PPC.

**AGRICULTURE**. Areas in which the general use of land is devoted to one (1) or more of the following: Tillage of soil in the production of crops. Production or maintenance of hay and pasture crops. Husbandry, production, or housing of livestock, poultry, horses, swine, cows, ox, cattle, calves, donkeys, ass, burro, mules, sheep, goats, and their products, excluding only dogs and other small animals commonly kept as household pets. Growing of trees for the production of timber or timber products, erosion control and other purposes commonly found in agricultural areas. This definition does not apply to home gardens or community gardens (maintained by a non-profit organization). For animal restrictions within Town limits, please refer to Section 3.C.9 and Title IX, Chapter 90, of the Town of Paoli Code of Ordinances.

**AGRICULTURAL BUILDING**. A structure utilized for the conduct of agriculture-related operations but not including dwellings used for human occupancy.

**AIRPORT**. Any area which is used or intended to be used for the taking off and landing of aircraft and any appurtenance areas which are used or intended to be used for airport buildings or facilities, including open spaces, taxiways, and tie-down areas.

**ALLEY**. A right-of-way other than a street, road, crosswalk, designed to provide a secondary means of access for the special accommodation of the property it reaches.

**ANIMAL DAY CARE FACILITY**. Any facility in which four (4) or more dogs or other small animals that are commonly kept as household pets, which are at least three (3) months old, and where the primary use of the facility is to care for those animals during the day-time hours. Overnight boarding of the animals at the facility is prohibited.

**ANTENNA**. Device designed to convert electrical signals from a cable to electro-magnetic radiation in the air.

**APPLICANT**. The owner(s) of real estate or their agent who makes application to the PPC or BZA for action that would affect the real estate.

**AUTOMATIC CAR WASH**. A building, or portion thereof, where automobiles, trucks, or other self-powered vehicles are washed by mechanical devices of any type.

**AUTOMOBILE REPAIR**. Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, or repair of vehicles is conducted or rendered.

**AUTOMOBILE SERVICE STATION**. Any building, structure, or land used primarily for the dispensing or sale of any automobile fuels, oils, or accessories. This includes lubrication and replacement or installation of minor parts or accessories, but does not include major repair work such as motor replacement, transmission replacement, body and fender repair, or spray-painting.

**AUTOMOTIVE, MOBILE HOME, TRAVEL TRAILER, FARM IMPLEMENT, AND CONSTRUCTION MACHINERY SALES AREA**. An open area other than a street or public right-of-way, used for the display, sale, or rental of new or used motor vehicles, mobile homes, travel trailers, farm implements and construction machinery.

**BASEMENT**. That portion of a structure having its floor sub-grade (below ground level) on all sides.

**BATTERY**. An electrochemical storage device consisting of either Nickel Metal Hydride (NiMH), Nickel Cadmium (NiCad), or Lead (Pb).

**BED AND BREAKFAST**. A residential building, or portion thereof - other than a motel, apartment hotel or hotel - containing lodging rooms for accommodation of five (5) or more persons who are not members of the keeper’s family and where lodging or meals or both are provided by pre-arrangement and for definite periods and for compensation.

**BILLBOARD:** See “off-premise sign”.

**BLOCK**. An area that abuts a street and lies between two (2) intersecting streets or barriers such as railroad rights-of-way or watercourses.

**BOOKSTORE**. A business established for the retail trade of books, magazines, or similar literature, excluding adult or sexually oriented materials.

**BUFFERYARD**. A unit of yard together with the planting thereon required to separate land uses from each other.

**BUILDING**. Any enclosed structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property of any kind and includes any structure.

**BUILDING INSPECTOR**. The employee or officer of the PPC who is empowered to inspect and approve ILP’s, and to act as the agent of the Administrator in any other matter concerning the enforcement of the applicable building code ordinances.

**BUILDING, DETACHED**. A building having no structural connection with another building.

**BUILDING HEIGHT**. The vertical distance measured from the lot ground level to the highest point of the roof for a flat roof; to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

**BUILDING PERMIT**. See “ILP”.

**BUILDING AREA**. The horizontal projected area of the buildings on a lot or premises, excluding open areas or terraces, unenclosed porches not more than one (1) story high, and architectural features that project no more than two (2) feet.

**BUILDING LINE**. The line that establishes the minimum permitted distance on a lot between the front line of a building and the street right-of-way line.

**BUSINESS**. The engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or services, the maintenance or operation of offices, or recreational and amusement enterprises for profit.

**BZA**. The Board of Zoning Appeals for the Town of Paoli, Indiana.

**CAMP GROUND**. A parcel of land used or intended to be used for temporary occupancy by campers, recreational vehicles, travel trailers, mobile homes, tents, etc.

**CANOPY TREE**. A tree that has a canopy that grows to thirty-five (35) feet or higher at full maturity.

**CEMETERY**. Land used for the burial of the dead (human or animal) and dedicated for cemetery purposes, including columbarium, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

**CERTIFICATE OF OCCUPANCY**. A certificate stating that the occupancy and use of land or a building or structure referred to therein complies with the provisions of this ordinance.

**CHURCH or TEMPLE**. A building, together with its accessory buildings and uses, where persons regularly assemble for religious purposes and related social events and which buildings, together with accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

**CLEAN FILL SITE**. A facility or site specifically designed and restricted to the disposal, processing and/or reclamation of off-site generated, uncontaminated and untreated stone, bricks, or concrete; road demolition waste materials; natural growth including tree limbs and grass clippings; sawdust from untreated natural wood; and other items not included in the above definition if subsequently approved by the Orange County Solid Waste Management District and the Indiana Department of Environmental Management. Clean Fill Sites shall be classified into one (1) of the following types:

Long term permitted clean fill disposal site.

Temporary permitted clean fill disposal site.

Long term permitted clean fill processing site.

Temporary permitted clean fill processing site.

Temporary permitted clean fill land reclamation site.

**CLINIC**. A building used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons, and those who are in need of medical and surgical attention, but which building does not provide board, room or regular hospital care and services.

**CLUB**. A building or portion thereof or premises owned or operated by a person or group for a social, literary, political, educational or recreational purpose primarily for the exclusive use of members and their guests excluding adult or sexually oriented activities. This does not include any use or activity rendering a service usually and ordinarily carried out as a business including restaurants or food service.

**COMMERCIAL MESSAGE**. Any wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

**COMMITMENT**. A covenant concerning the use or development of a parcel of real property which is made in writing by the owner of that parcel, either voluntarily or in accordance with an order or request of the PPC, BZA, or the appropriate legislative body.

**COMMON AREA**. An area that is held in common by an owners’ association, is not located in rights-of-way, and is not located on individually owned private property.

**COMPOSTING**. The biological treatment process by which microorganisms decompose the organic component of vegetative matter and other types of organic material; the compost may be used as:

A soil conditioner.

A cover material for a solid waste landfill.

Another use approved by the Orange County Solid Waste Management District and the Indiana Department of Environmental Management.

**COMPOSTING FACILITY**. A solid waste processing facility specifically designed and operated for the express purpose of composting.

**COMPOST/DIGESTER FACILITY**. A specific type of composting facility.

**COMPREHENSIVE PLAN**. The Comprehensive Plan for the Town of Paoli, Indiana as approved by the Paoli Town Council and as amended from time to time.

**CONCEPT PLAN**. An informal review of a proposed subdivision by the PPC at a public hearing to alert applicants to problems and requirements prior to an official submission for the purpose of saving time and money for all parties.

**CONDOMINIUM**. Ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators, and all other related common elements, together with individual ownership in fee of a particular unit or portion of such building, which building shall be the same as dwelling, multi-family.

**CONFINED FEEDING OPERATION**. As defined in IC 13-11-2-40,

any confined feeding of three hundred (300) or more cattle, six hundred (600) or more swine or sheep and thirty thousand (30,000) or more fowl;

any animal feeding operation where the operator elects to come under the Act;

any animal feeding operation that violates Chapter 214 of the Act of 1943 as determined by the Water Pollution Control Board of the State of Indiana; or

as defined by the Indiana Department of Environmental Management latest revisions or amendments.

**CONSERVATION AREA**. Designated open space further defined as Primary and Secondary Conservation Areas.

Primary Conservation Areas include wetlands, lands that are generally inundated, land within areas that have been identified on the community’s Flood Hazard Boundary Map (FHBM) as Zone A, and slopes exceeding twenty-five percent (25%).

Secondary Conservation Areas typically include parks and natural resources such as forests, meadows, farm fields, wildlife habitat, and water quality protection or other reasons.

**CONSERVATION AREA, PRIMARY**. This category includes wetlands, lands that are generally inundated (under ponds, lakes, or creeks), land within the 100-year floodplain, and slopes exceeding twenty-five percent (25%).

**CONSERVATION AREA, SECONDARY**. This category shall typically include all or part of the following kinds of resources: woodlands; aquifer recharge areas; poorly drained soils; significant wildlife habitat areas; prime farmland; historic, archaeological or cultural features listed (or eligible to be listed) on national, state, or county registers or inventories; scenic views into the property from existing public roads; or other features unique to the site. Secondary Conservation Aras therefore typically include forest, meadows, pastures, and farm fields, part of the ecologically connected matrix of natural areas significant for wildlife habitat, water quality protection or other reasons.

**CONSTRUCTION/DEMOLITION SITE**. A solid-waste land disposal facility, or site, designed and operated to accommodate large volumes of solid waste, having minimal potential for ground water contamination. Further, in the Orange County Solid Waste Management District, a Construction/Demolition Site is to be specifically designed and restricted to the disposal, processing, and/or reclamation of only construction or demolition waste to include bricks; concrete; stone; glass; wallboard; lumber; roofing materials; other items which are affixed to the structure being constructed or demolished including plumbing fixtures; wiring and non-asbestos insulation; and other items not included in the above definition if subsequently approved by the Orange County Solid Waste Management District and the Indiana Department of Environmental Management.

**COUNTY**. The County of Orange, Indiana.

**DAY CARE CENTER**. A commercial facility or single-family home licensed and/or regulated by the Indiana Department of Public Welfare for the care and/or education of human beings. A day care center shall not be considered a home occupation.

**DBH**. Diameter at breast height.

**DEVELOPER**. Any person engaged in developing a lot or group of lots or structures thereon for use or occupancy.

**DEVELOPMENT PLAN**. A specific plan for the development of real property that:

Requires approval by the PPC under the 1400 Series of IC 36-7-4:

Includes a site plan.

Satisfies the development requirements specified in the ordinance regulating the development; and

Contains the plan documentation and supporting information required by the ordinance regulating development.

**DEVELOPMENT REQUIREMENT**. Development standards plus any additional requirements which must be satisfied in connection with the approval of a Development Plan.

As relates to Section IX. Review and Approval of Development Plans, a requirement:

for development of real property in a zoning district for which a Development Plan is required; and

that conforms to IC 36-74-1403.

As relates to planned unit development a requirement:

for development of real property in a planned unit development district that must be met; and

that conforms to IC 36-7-4-1508.

**DIAPER SERVICE.** A business that supplies and delivers both diapers as well as provides laundry services for soiled diapers in accordance with the applicable regulations.

**DIRECTOR**. See “ADMINISTRATOR”.

**DISTRICT**. A specified zoning district within the jurisdictional area or extended jurisdictional area for which uniform regulations governing the use, height, area, size, and intensity of use of buildings and land, and open spaces about buildings, are herein established.

**DRIVE-IN RESTAURANT**. An establishment selling foods, frozen desserts, or beverages to consumers, the establishment being designed, intended, or used for the consumption of such items on the premises outside of the building in which they were prepared

**DRUG STORE**. A store where the primary business is the filling of medical prescriptions and the sale of drugs, medical devices and supplies, and non-prescription medicines but where non-medical products may be sold as well.

**DUPLEX**. A duplex is considered a “two-family dwelling” and development standards are the same as single-family dwellings (because they fall under the same building code). Multi-family applies to structures with three (3) or more units in them.

**DWELLING**. A building or part of a building that is used primarily as a place of abode, but not including a hotel, motel, lodging house, boarding house, bed and breakfast, or mobile home as defined in this ordinance.

**DWELLING, MULTI-FAMILY**. A residential building designed for or occupied by three (3) or more families, with the number of families in residence not exceeding the number of dwelling units provided. This includes duplexes.

**DWELLING, SINGLE-FAMILY**. A detached residential dwelling unit designed for and occupied by one (1) family only.

**DWELLING UNIT**. A room or group of rooms designed and equipped exclusively for use as living quarters for only one (1) family and its household employees, including provisions for living, eating, sleeping and cooking. The term shall include mobile and manufactured homes but shall not include recreational vehicles.

**EASEMENT**. An authorization or grant by a property owner to specific persons, the general public, corporations, utilities, etc. for the purpose of providing services or access to the property.

**ESTABLISHED FRONT SETBACK**. See “SETBACK, ESTABLISHED FRONT.”

**ESTABLISHMENT OF AN ADULT ENTERTAINMENT BUSINESS**. This phrase means and includes any of the following:

The opening or commencement of any such business as a new business;

The conversion of an existing business, whether or not an adult entertainment business, to any of the adult entertainment businesses defined herein;

The addition of any of the adult entertainment businesses defined herein to any other existing adult entertainment business; or

The relocation of any such business.

**FAMILY**. One (1) or more persons living as single housekeeping unit, but not including a group occupying a hotel, motel, club, nursing home, dormitory, fraternity or sorority house.

**FARM.** See “Agriculture.”

**FENCE**. An accessory structure constructed of wood, metal, masonry, or other material, that is erected for the purpose of impeding movement, assuring privacy, or providing protection. In no case shall the fence or its material resemble junk or be assembled from junk.

**FILLING STATION**. See “AUTOMOBILE SERVICE STATION.”

**FLOOR AREA, GROSS**. The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two (2) buildings, but excluding any space where the floor-to-ceiling height is less than six (6) feet.

**FLOOR AREA, GROUND**. Same as ”FLOOR AREA, NET” except computed for the ground floor only.

**FLOOR AREA, NET**. The sum in square feet, at grade, computed from the outside dimensions of the structure. It does not include garage area, crawl space, attic area, porches, patios, elevator shafts, display windows, etc.

**FOOD PROCESSING**. The preparation, storage, or processing of food products.

**FRATERNITY, SORORITY OR STUDENT HOUSING**. A building used as group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, convent, monastery, or other similar institutional use.

**FRONTAGE**. The distance at which a property or properties is located along a dedicated street or road.

**FRONTAGE ROAD**. A street that is parallel to and adjacent to a thoroughfare and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of the through traffic on the thoroughfare is not impeded by direct driveway access from a large number of abutting properties.

**GARAGE, PRIVATE RESIDENTIAL**. A structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents thereof and that is not a separate commercial enterprise available to the general public.

**GARAGE, PARKING**. Any garage, other than private garage, for the parking of vehicles.

**GARAGE, TRUCK REPAIR**. A building, other than a parking garage or private residential garage, used for the care, repair, or equipment of trucks, over one ton (2,000 pounds), or where such vehicles are parked or stored for remuneration, hire, or sale.

**GRADE**. The slope of a road, street, or other public way, specified in terms of percentage.

**GROUP RESIDENTIAL FACILITY**. A facility licensed by the State of Indiana, which provides a home-like setting to the developmentally disabled and/or the mentally ill who need the benefits of a group living situation as an alternative to hospitalization or institutionalization.

**HELIPORT**. See ”AIRPORT”.

**HAZARDOUS WASTE**. A waste or combination of wastes that, because of its quantity; concentration; or physical, chemical, and/or infectious characteristics; may:

Cause or significantly contribute to an increase in mortality or increase in serious irreversible, or incapacitating reversible illness: or

Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**HAZARDOUS WASTE LANDFILL**. A facility approved by the EPA and sited by the State of Indiana for the disposal of hazardous wastes as defined elsewhere in this ordinance.

**HOME OCCUPATION or CUSTOMARY HOME OCCUPATION**. An occupation carried on by an occupant at his or her place of residence in accordance with the requirements of this UDO.

**HOTEL**. A building or group of buildings in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contradiction to a boarding house or lodging house.

**ILP (IMPROVEMENT LOCATION PERMIT)**. A permit which is written permission issued by the Administrator for the construction, repair, alteration, or addition to a structure that complies with the development standards of the Zoning Ordinance and applicable building codes.

**INCINERATOR**. An engineered apparatus or solid waste processing facility designed for the burning of solid waste under the effect of controls of temperature, retention time, air, and other combustion factors.

**INDUSTRIAL, GENERAL**. Manufacturing, processing, extraction, heavy repairing, dismantling, storage, or disposal of equipment, raw materials, manufactured products or wastes, in which operations, other than transportation, may be performed in either open or closed areas.

**INDUSTRIAL, LIGHT**. Manufacturing, processing, extraction, heavy repairing, dismantling, storage, or disposal of equipment, raw materials, manufactured products or wastes, in which all operations, other than transportation, are performed entirely within enclosed buildings and for which all loading and unloading facilities are enclosed.

**INDUSTRIAL PARK**. A tract of land that is planned and developed as a distinctive unit featuring landscaped open spaces and well-designed structures to be used for research, offices, experimental, and testing laboratories, light industrial, storage and distribution facilities, and for necessary uses to the convenience of employees, and is controlled by an organization guaranteeing the continued maintenance of all commonly used areas and installations.

**INOPERATIVE MOTOR VEHICLE**. Any automobile, truck, semi-trailer, school bus, recreational vehicle, etc. that lacks a motor, drive train, wheels, axles, transmission, etc; also a vehicle which does not carry a current year state registration or license tag.

**INSTITUTION**. Any home, orphanage, or other facility maintained or conducted by a group of persons, a firm, association, corporation, or governmental body engaged in receiving and caring for dependent, neglected, handicapped, or permanently disabled persons, or children in danger of becoming delinquent or in operating for gain a private business of boarding children who are unattended by parents or guardians, or persons in loco parentis.

**INTERNAL ILLUMINATION:** A means of sign illumination in which the characters, letters, fixtures, designs or outlines are illuminated from the inside or behind the sign by electric lights or tubes.

**JUNK.** Waste, discarded or salvaged materials that are used, bought, sold, baled, packed, disassembled or handled, including automobile parts and inoperable or currently unlicensed vehicles, used furniture, household equipment, used or salvaged materials from manufacturing equipment, operations, or motor vehicles, and such other materials as may from time to time be designated by the Administrator.

**JUNK YARD**. Any lot, parcel, or tract of real estate, platted or un-platted, at which personal property is or may be salvaged for reuse, resale, or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled, or assorted, including but not limited to used or salvaged base metal or metals, their compounds or combinations, used or salvaged rope, bags, paper matter. This also includes property used for the dismantling, wrecking, storage, sale, or dumping of two (2) or more inoperative motor vehicles or their parts. For purposes of this definition, this includes junk yard activities occurring indoors and/or outdoors. This shall not include tractors, combines, pickers, discs, plows, or other similar farm machinery that is owned by a farm operator and is used for parts replacement for machinery currently being used in the farming operation.

**JURISDICTIONAL AREA**. The incorporated area within the municipal boundaries of the Town of Paoli as well as the area of extended jurisdiction as amended from time to time by the Town Council.

**KENNEL**. Any lot or premises on which there are located four (4) to twenty-five (25) run cages, pens and/or animal housing units for dogs or other small animals that are commonly kept as household pets, at least four (4) months old and where the primary use of the facility is to breed and/or board the animals, whether on a temporary or long-term basis. All animals must be licensed in accordance with County regulations.

**LANDSCAPE CONTRACTOR**. A person, partnership, or corporation involved in the business of growing, storing, planting, installing, and otherwise caring for live-trees, shrubs, flowers, etc.

**LEGISLATIVE BODY**. The Town Council for the Town of Paoli.

**LIFE CARE FACILITY**. A facility for the housing and care of elderly residents that may or may not contain on-site health care facilities.

**LOADING AND UNLOADING BERTHS**. The off-street area required for the receipt or the distribution, by vehicles, of material or merchandise.

**LOT**. A platted parcel or tract of land of at least sufficient composition to meet minimum zoning requirements and provide such yards and other open spaces as are hereby required.

**LOT AREA**. The area of horizontal plan bounded by the vertical planes through front, side, and rear lot lines.

**LOT COVERAGE**. The total ground area within the Lot or project covered by the primary structure, plus any accessory structures (including decks, patios, swimming pools, garages, carports, and storage sheds), excluding driveways, sidewalks, fences, and walls not attached in any way to a roof.

**LOT, CORNER**. A lot at the junction of or abutting two (2) or more intersecting streets. Corner lots have two (2) front yard setbacks and two (2) side yard setbacks.

**LOT DEPTH**. The average horizontal distance between the front and rear lot lines.

**LOT, FLAG**. A lot with access provided to the majority of the lot by means of a narrow corridor.

**LOT, INTERIOR**. A lot other than a “LOT, CORNER” or “LOT, THROUGH”.

**LOT, PERIMETER**. A subdivision lot that either:

Has a lot line that abuts the right-of-way of a street or frontage road located on the perimeter of the subdivision; or

Is separated from the right-of-way of a street located on the perimeter of the subdivision by a common area.

**LOT, THROUGH**. A lot having frontage on two (2) parallel or approximately parallel streets.

**LOT LINE**. A line dividing one (1) lot from another lot or from a street or alley.

**LOT LINE, FRONT**. Any property line separating the lot from a street, or on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

**LOT LINE, REAR**. Any property line which is not intersecting and most distant from and most closely parallel to the front lot line. A lot bounded by only three (3) lot lines will not have a rear lot line.

**LOT LINE, SIDE**. Any lot boundary-line, not a front lot line or rear lot line.

**LOT OF RECORD**. A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat recorded in the office of the Orange County Recorder, provided that such lot meets the development standards and requirements for lots in the district in which it was located at the time of recording.

**LOT WIDTH**. The horizontal distance between side lot lines, measured at the required front setback line or building line, whichever is less.

**MAJOR THOROUGHFARE**. A “major thoroughfare” shall mean all primary traffic corridors entering or leaving the Town including, but not limited to, SR 37, SR 56, and U.S. 150.

**MAJOR THOROUGHFARE, ADJACENT TO A**. “Adjacent to a major thoroughfare” shall mean any lot or lots located near a major thoroughfare which lot (or lots) is not separated from the major thoroughfare by another buildable lot.

**MAJOR UTILITY EASEMENT**. Easements for high-voltage electric transmission lines used for trans-county or trans-state distribution; or easements for high-volume conveyance of natural gas or petroleum in underground pipelines for trans-county or trans-state distribution.

**MANUFACTURED HOME**. Formerly known as a “mobile home,” a manufactured home is built to the Manufactured Home Construction and Safety Standards (HUD Code) and displays a red certification label on the exterior of each transportable section. A manufactured home was constructed after June 15, 1976, and is defined in IC 16-41-27-3.5, as a structure, transportable in one or more sections, which, in traveling mode, is eight body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and compiles with the standards established under the cited Federal chapter; and except that such term shall not include any self-propelled recreational vehicle.

**MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS CODES**. Title VI of the 1974 Housing and Community Development Act (42 USC 5401 et sequential), as amended (previously known as the Federal Mobile Home Construction and Safety act), rules and regulations adopted there under (including information supplied by the home manufacturer, which has been stamped and approved by a Design Approval Primary Inspection Agency, an agent of the U.S. Department of Housing and Urban Development pursuant to HUD rules), and regulations and interpretations of said code by the Indiana Department of Fire and Safety, all of which became effective for manufactured home construction on June 15, 1976.

**MASSAGE**. Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electrical apparatus or appliances with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointment, or other such similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his behalf will pay money or give any other consideration or any gratuity therefore. However, massage as used in this ordinance shall not apply to the activity of any person who is registered or licensed by the United States Government or any agency thereof, by the State of Indiana or any agency thereof, by Orange County or any agency thereof, or registered or licensed by any agency or association authorized to so register or license by any statute or ordinance of the United States, the State of Indiana, or Orange County, while such person so registered or licensed is performing the services for which the registration or license was issued and during the period of time said registration or license is in effect.

**MASSAGE ESTABLISHMENT**. Any establishment having a source of income or compensation derived from the practice of massage as herein defined and which has a fixed place of business where any person, firm, association, or corporation engages in, or carries on any of the activities as defined in a massage.

**MAXIMUM DENSITY**. A unit of measurement which represents the maximum number of residential units per acre of land on the aggregate total land to be developed, exclusive of rights-of-way of perimeter streets, floodway areas, and areas designated as Primary Conservation Areas or other non-developable areas.

**MINERAL EXTRACTION**. Activities including mining or quarrying, and the removal of earth materials.

**MOBILE HOME**. Now known as a “manufactured home,” a mobile home was constructed prior to June 15, 1976 and even with modifications, does not meet the HUD standards and cannot be accepted as compliant with the HUD Code. A mobile home is defined in IC 16-41-27-4 as a dwelling, including the equipment sold that is a

dwelling, that;

is factory assembled;

is transportable;

is intended for year-round occupancy;

is designed for transportation on its own chassis; and

was manufactured before the effective date of the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.). See “MANUFACTURED HOME.”

**MANUFACTURED HOME PARK**. As defined in IC 16-41-27-5 a manufactured home park is (a) manufactured home community on one (1) or more parcels of land.

That contain individual lots that are leased or otherwise contracted;

That are owned, operated, or under the control of one (1) or more persons; and

On which a total of at least five (5) manufactured homes are located for the purposed of being occupied as principle residences.

The term includes the following:

All real and personal property used in the operation of the mobile home community.

A single parcel of land.

Contiguous but separately owned parcels of land that are jointly operated.

Parcels of land:

Jointly operated; and

Connected by a private road.

One (1) or more parcels of land, if at least two (2) of the mobile homes or manufactured homes located on the land are:

Accessible from a private road or interconnected private roads;

Served by a common water distribution system; or

Served by a common sewer or septic system.

**MANUFACTURED HOME, TEMPORARY**. The temporary placement of a manufactured home permitted with an ILP (duration of ILP identified in Chapter 3, Section L, parts 5.b.ii and 7.a) for one (1) of the following purposes:

Temporary residence for persons intending to build a permanent residence on the same property.

Temporary residence of a manufactured home adjacent to the permanent residence of someone who is able to provide care or in need of care.

Temporary use of a manufactured home, trailer, or van as a contractor’s office, watchman’s shelter, or tool and equipment storage on the project site and only during the period of construction.

**MOTEL.** See “HOTEL”.

**NIGHT CLUB**. An establishment dispensing liquor and/or meals and in which music, dancing, or entertainment is conducted, excluding adult or sexually oriented activities.

**NON-CONFORMING** **USE**. Lots, structures, uses of land, and/or zoning districts which were lawful before this ordinance was amended, but which would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments.

**NURSING HOME**. A facility licensed by the State of Indiana that provides nursing and health care services on a continuing basis to persons of all ages who may require medical treatment but not hospitalization.

**OPEN DUMP**. The consolidation of solid waste from one (1) or more resources or the disposal of solid waste at a single disposal site that does not fulfill the requirements of a sanitary landfill or other land disposal method as prescribed by law or regulations, and that is established and maintained without cover and without regard to the possibilities of contamination of surface or subsurface water resources.

**OPEN SPACE**. Common area that provides light and air and is designed for environmental, scenic, or recreational purposes. Cropland, forested areas, or pastureland qualifies as open space. Open space may include turf areas, decorative plantings, walkways, active and passive recreation areas, playgrounds, and wooded areas. Open space shall comprise Primary Conservation Areas and Secondary Conservation Areas. Open space shall not include areas devoted to public or private streets or rights-of-way.

**ORPHANAGE**. An institution for the care of children whose parents are incapacitated or deceased.

**OVERLAY DISTRICT**. A zoning district that encompasses one (1) or more underlying zones and that imposes additional requirements above that required by the underlying zone.

**PARENT LOT, TRACT, OR PARCEL**. The lot, tract, or parcel of land for which approval is sought to subdivide it into at least two (2) lots, tracts, parcels, or other divisions of land for sale, development or lease.

**PARKING AREA**. Any public or private area, under or outside of a building or structure, designed and used for parking and maneuvering motor vehicles including garages, private driveways, and legally designated areas of public streets.

**PARKING SPACE**. A space other than on a street or alley designed for use or used for the temporary parking of a motor vehicle.

**PERIMETER LOT**. See “LOT, PERIMETER.”

**PERIMETER THOROUGHFARE**. See “THOROUGHFARE, PERIMETER”.

**PERSON**. Any individual, corporation, firm, partnership, association, or organization, or any other group that acts as a unit.

**PLANNED UNIT DEVELOPMENT**. A district established to allow development of an area of land as a single entity for a number of uses conforming to an approved Development Plan, which may not correspond with number of units, bulk, type of use, density, open space, parking, signage, landscaping, or other standards required by other ordinances; a zoning district for which a PUD ordinance is required.

**PLANNER**. The employee of the PPC who is empowered to inspect sites for compliance with this ordinance and act as the agent of the Administrator in any other matter concerning the enforcement of this ordinance.

**PLANT NURSERY**. Land, buildings, structures or a combination thereof for the storage, cultivation, transplanting of live trees, shrubs, or plants offered for retail or wholesale sale on the premises including products used for gardening and landscaping.

**PLAT**. A map or chart indicating the subdivision or re-subdivision of land intended to be filed for record.

**PLAT COMMITTEE**. In accordance with IC 36-7-4-701(e), a sub-committee created by the Plan Commission to hold hearings on minor residential subdivisions and re-plats on behalf of the PPC in accordance with the Rules and Procedures of the PPC.

**PPC**. The Advisory Plan Commission of Paoli, Indiana.

**PRIMARY STRUCTURE**. A building in which the primary use of the lot or premises on which it is located is conducted, including a building that is attached to such a building in a substantial way, such as by a roof. With respect to residential uses, the primary building shall be the main dwelling.

**PRIMARY USE**. The predominant use of any lot or parcel or as determined by the primary structure.

**PRIME FARMLAND**. Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses (land cannot be urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields or crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding. These areas are defined and illustrated on the map Important Farmlands as defined in 1975 by Cartographic Division, Soil Conservation Service, USDA, of Orange County, Indiana as amended.

**PRINCIPAL USE**. The main use of land or structures as distinguished from a secondary or accessory use.

**PRIVATE SCHOOL**. A private primary, grade, high or preparatory school or academy not supported by public tax dollars.

**PROFESSIONAL OFFICE**. A building or group of buildings housing professional offices and appropriate associated and accessory uses.

**PUBLIC SAFETY SERVICES**. Those services including, but not limited to Police, Fire, EMS, and Public Works departments.

**PUBLIC SEWER UTILITY**. A municipal or public sewage disposal service that has been issued a final order by the Indiana Utility Regulatory Commission (IURC) granting a Certificate of Territorial Authority (CTA) to the Utility and maintains said CTA in good standing with the IURC.

**PUBLIC UTILITY**. A municipal or public utility service which has been issued a final order by the Indiana Utility Regulatory Commission granting an applicable Certificate to the Utility and maintains said Certificate in good standing with the IURC.

**PUBLIC UTILITY INSTALLATIONS**. The erection, construction, alteration, operation or maintenance of buildings, power plants, substations, water and sewage treatment plants, pumping stations, and other similar public service structures by a public utility, railroad or by a municipal or other governmental agency.

**PUBLIC WATER UTILITY**. A municipal or public water utility service that has been issued a final order by the Indiana Utility Regulatory Commission (IURC) granting a Certificate of Necessity and Convenience (CNC) to the Utility and maintains said CNC in good standing with the IURC.

**PUD**. Planned Unit Development.

**PUD DISTRICT**. A zoning district for which a PUD district Ordinance is adopted.

**PUD DISTRICT ORDINANCE**. A zoning ordinance that meets the requirements of IC 36-7-4-1500 series and does the following:

Designates one (1) or more parcels of real property as a PUD district.

Specifies uses or range of uses permitted in the PUD district.

Expresses in detailed terms the development requirements that apply in the PUD district.

Specifies the plan documentation and supporting information that must be supplied before an ILP may be issued for development of real property in the PUD district.

Specifies any limitation applicable to a PUD district; and

Meets the requirements of IC 36-7-4-1503.

**RECOVERY**. Obtaining materials or energy for commercial or energy for commercial or industrial use from solid waste or hazardous waste.

**RECREATION AREA**. An area designated, designed, and equipped for the conduct of sports and leisure-time activities.

**RECREATION FACILITY, INDOOR**. A place primarily designed and equipped for the conduct of sports and leisure-time activities indoors.

**RECREATION FACILITY, OUTDOOR**. An area primarily designed and equipped for the conduct of outdoor sports and leisure-time activities. Such facility may be either public or private.

**RECREATIONAL VEHICLE (RV)**. A vehicle designed as a temporary living quarters for recreation, camping or travel, either with their own motor power or mounted or towed by another powered vehicle.

**RECREATIONAL VEHICLE PARK**. Any lot or land upon which two (2) or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

**RECYCLING**. A process by which materials that would otherwise become solid waste are collected, separated or processed, and converted into materials or products for reuse or sale.

**RESOURCE RECOVERY FACILITY**. A solid waste processing facility designed and operated for the express purpose of processing solid waste into commercially valuable materials or energy.

**RESOURCE RECOVERY**. The processing of solid waste into commercially valuable materials or energy.

**RESOURCE RECOVERY SYSTEM**. A solid waste management system that provides for collection, separation, recycling, and recovery of solid and/or non-hazardous wastes including the disposal of non-recoverable waste residues.

**RESTRICTED WASTE SITE**. A solid waste land disposal facility designed and operated to accommodate specific types of waste as specified in 329 IAC 2-9.

**RIGHT-OF-WAY**. A strip of land occupied or intended to be occupied by transportation facilities, public utilities, and/or other special public uses.

**ROADSIDE PRODUCE** **STAND**. A temporary structure designed or used for the display or sale of agricultural and related products.

**SCREENED-IN PORCH**. A single-story structure architecturally incorporated into a primary structure, with a screened area in excess of sixty percent (60%) of the gross area of the structure’s exterior walls.

**SANITARY LANDFILL**. A solid waste land disposal facility designed to accommodate general types of solid waste as elsewhere defined in this ordinance, excluding waste regulated by 329 IAC 3, and operated by spreading the waste in thin layers, compacting it to the smallest practical volume, and covering it with cover material at the end of each working day. This definition does not include a Clean Fill Site, or a Construction/Demolition Site, which are defined elsewhere in the ordinance.

**SEPTIC SYSTEM, PRIVATE**. A septic tank, filtration field and subsurface drainage if required, which are located on an individual lot. Installations of such a system shall be based on the requirements of the Orange County Sewage Disposal and Drainage Ordinance as administered by the Orange County Health Department.

**SERVICE STATION.** See “AUTOMOBILE SERVICE STATION”.

**SETBACK, ESTABLISHED FRONT**. The least measured distance between the right-of-way line and the nearest point on the primary structure’s foundation.

**SETBACK LINE**. A line established by the Zoning Ordinance defining the limits of a yard in which no building or structure may be located except as may be excluded in said ordinance.

**SEXUALLY ORIENTED BUSINESS.** An adult entertainment or service business that is part of the sex industry and is a site of erotic performance, erotic paraphernalia sales, and/or other sexually-oriented places. Sexually oriented businesses may include the following:

* **ADULT BOOKSTORE**. An establishment having as a preponderance of its stock in trade or its dollar volume in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
* **ADULT CABARET**. A nightclub, bar, theatre, restaurant or similar establishment which features live performances by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by their emphasis on specified sexual activities or by exposure of specified anatomical areas and/or which regularly feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.
* **ADULT DRIVE-IN THEATER**. An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.
* **ADULT ENTERTAINMENT BUSINESS**. An adult bookstore, adult motion picture theatre, adult mini motion picture theatre, adult motion picture arcade, adult cabaret, adult drive-in theater, adult live entertainment arcade or adult service establishment.
* **ADULT LIVE ENTERTAINMENT ARCADE**. Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed or screened area or booth a series of live dance routines, strip performances or other gyrational choreography which performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas.
* **ADULT MINI MOTION PICTURE THEATRE**. Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee, with a capacity of more than five (5) but less than fifty (50) persons, used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or by exposure of specified anatomical areas for observation by patrons therein.
* **ADULT MOTION PICTURE ARCADE**. Any place to which the public is permitted or invited where coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one (1) time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
* **ADULT MOTION PICTURE THEATRE**. Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee, with a capacity of fifty (50) or more persons used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
* **ADULT SERVICE ESTABLISHMENT**. Any building, premises, structure or other facility, or any part thereof, under common ownership or control which provides a preponderance of services involving specified sexual activities or display of specified anatomical areas. Said services includes any combination of two (2) or more of the following activities:
  + The sale or display of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas;
  + The presentation of films, motion pictures, video cassettes, slides, or similar photographic reproductions which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons,
  + The operation of coin or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image producing devices to show images to five (5) or fewer persons per machine at any one (1) time and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas;
  + Live performance by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas; and
  + The operation of a massage establishment.

**SHARED DRIVEWAY**. A single driveway that serves two (2) to four (4) adjacent lots pursuant to access easements.

**SIGN:** Any name, number, symbol, identification, description, display, graphic, or illustration which is affixed to, painted on, or is represented directly or indirectly upon a building, structure, or piece of land, visible from any public right-of-way which directs attention to an object, product, place, activity, person, institution, organization, or business. Religious symbols on places of worship or structures owned and operated by religious organizations shall not be considered a sign unless accompanied with text. This definition includes backlighted plastic panels or strip lighting affixed to any wall or roof where any such panels or lighting serve to identify a business and attract attention rather than to illuminate space for human activity. For purposes of this ordinance, the following signs are defined:

Animated Sign: Any sign that uses movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene. This includes any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. Different from an “Electronic Sign”, an animated sign produces the illusion of movement by means of electronic, electrical, or electro-mechanical input and/or illumination capable of simulating movement through using the characteristics of one or both of the classifications noted below:

* Flashing. Animated signs or animated portions of a sign where the cyclical period between on-off phases of illumination is less than four (4) seconds.
* Patterned illusionary movement. Animated signs or portions of signs whose illumination is characterized by simulated movement.

Awning Sign: A sign that is attached to an awning, canopy, or other fabric that serves as a structural protective cover over a door, entrance, window, or outdoor service area.

Banner: A non-rigid cloth, plastic, paper, flag, or canvas sign typically related to a special event or promotion, that is cultural, educational, charitable, or recreational in its function, under the sponsorship of a for-profit establishment or business, or a public, private non-profit, or religious organization. Banners also include streamers or ribbon-shaped or cord-like rope which may have pennants and/or banners attached and which is stretched or hung between two or more points of support intended to attract attention.

Bench Sign: Any sign painted on, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public roadway.

Billboard: See “off-premise sign”.

Changeable Copy: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic or manual means without altering the face or surface of the sign.

Electronic Sign: A sign activated by or illuminated by means of electrical energy whose variable message capability can be electronically programmed.

Hanging Sign: A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Informational Sign: Any on-premise sign which contains no commercial message of any sort and which provides, for example, directions for control of traffic , enter/exit, hours of operation, no smoking, beware of dog, no trespassing, security system present, or other necessary regulatory information. Informational signs shall not contain the name or logo of an establishment or any type of advertising for products or services offered on site.

Inflatable Sign: Any device which is capable of being expanded by any gas and used on a permanent or temporary basis to attract attention to a product or event. This definition includes both hot and cold-air balloons tethered or otherwise anchored to the ground.

Marker:

* A sign that indicates the name of a building, date, or other incidental information about its construction that is cut into a masonry surface, cast in bronze, or made or other material.
* A sign that identifies a product in agricultural areas, typically used to identify seed types used in agricultural fields.

Monument Sign: A sign in which the bottom edge of the sign face is permanently affixed to the ground. Monument, freestanding or pylon are other names for a monument Sign.

Mural: An image painted onto the side of a building, wall, or structure, or applied to the ground, sidewalk, parking lot, or similar area. A mural sign is regulated as a wall sign in this Ordinance when it contains a commercial message. Murals without a commercial message are not regulated by this Ordinance.

Off-premise Sign: A sign which directs attention to a business, commodity, service, or entertainment conducted sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed. Also called billboard.

Pole Sign: Any sign supported by structures or supports that are placed on and anchored in the ground and that are independent from any building or structure. A pole sign uses said structures to raise the sign face above the ground more than four (4) inches.

Portable Sign: Any sign not permanently attached to the ground, building, or other permanent structure. This includes signs that are designed to be:

* moved/transported by means of wheels or other mechanisms;
* trailer signs that are attached to, supported by, or part of a structure which is designed to move on trailer wheels, skids, or other similar devices, or transported, pushed, or pulled by a motor vehicle.
* converted to A-frames or T-frames such as menu or sandwich board signs;
* balloons used as signs;
* umbrellas used for advertising; and
* other portable devices or structures used for signage.

Projecting Sign: A sign that is wholly or partly dependent upon a building for support or suspended from a pole attached to a building. Such signs must be perpendicular to the building face upon which they are attached.

Roof Sign: Any sign partially or fully erected on or above the roof line of a building.

Scoreboard: An electronically-controlled changeable copy sign used to display scoring information for sporting events. Such signs are located on or along sports fields.

Unified Development Sign: A sign that identifies the name of a shopping center, office park, industrial park, or other development that contains three or more uses within a single development. A unified development sign is allowed in addition to the permitted signs of the individual tenants.

Vehicle Sign: A sign that is permanently affixed to the body of, an integral part of, or a fixture of a motor vehicle that is parked or left standing so that it is visible from a public street for a period of more than seventy-two (72) continuous hours for the intent of being used as advertisement. For the purpose of this definition, “permanently affixed” shall mean any of the following:

* Painted directly on the body of a motor vehicle;
* Applied as a decal on the body of a motor vehicle; and/or
* Placed in a location on the body of motor vehicle that was specifically designed by a vehicle manufacturer.

This regulation is not intended to prohibit businesses from having parked vehicles with business logos provided the vehicles are in daily use for the business.

Wall Sign: Any sign attached to or erected against the inside or outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel (or relatively parallel) to the plane of the building or structure.

Wayfinding Sign: A sign erected by the municipality or a multi-tenant development that displays necessary identification information for the convenience and safety of residents and visitors, and containing no advertising. This includes government-erected signs found along major roadways that display company logos for lodging, gasoline stations, restaurants, and other such establishments. Also includes directional signs that provide information regarding location, instructions for use, or functional/directional information.

Window Sign: Any sign, poster, symbol, or other type of identification or information about the use or premises directly attached to the window of a building or erected on the inside or outside of the window, which is legible from any part of a public right-of-way or adjacent property. For purposes of this definition, a “window” is defined as an opening in the wall or roof of a building or vehicle that is fitted with glass or other transparent material in a frame to admit light or air and allow people to see out.Sign,

Abandoned: A sign associated with an abandoned use, a sign that remains after the termination of the business, or a sign on its immediate premises not adequately maintained or repaired.

**SIGN AREA:** The face of the entire display area, not including the bracing, framing, and structural supports of the sign, unless such support members are made part of the message or face of the sign. Where a sign has two or more display faces, the area of all faces of the sign shall be included in determining the Sign Area, unless the two faces are joined back to back, are parallel to each other and not more than twenty-four (24) inches apart. The area of the sign consisting of individual letters or symbols, either freestanding or attached to or painted on a surface, building, wall, or window, shall be considered to be that of the smallest single rectangle which encompasses all the letters and symbols.

**SIGN FACE:** The surface intended for the display of information on the sign.

**SIGN, HEIGHT ABOVE GROUND:** The vertical measurement from the ground to the top of the sign. The height of all signs shall be measured from the established grade line to the highest point of the sign or its frame/support.

**SIGN, ILLUMINATED:** Any sign lighted by or exposed to artificial lighting either by light on or in the sign or directed toward the sign.

**SIGN, LEGAL NON-CONFORMING:** A preexisting legal sign, or portion thereof, which was designed, erected, or structurally altered such that it does not conform to the regulations of the district in which it is located.

**SIGN, PERMANENT:** A sign attached to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign The use of anchor bolts, ropes, stakes, chains, glue, or similar anchoring are not methods recognized by this ordinance as a permanent foundation.

**SIGN, TEMPORARY:** Any sign that is temporarily used for a specific duration of time and is not affixed to a permanent foundation or structure. A temporary sign is used for the purpose of conveying information, knowledge, or ideas to the public about activities on the premises. These signs are intended to be on-site for the duration of an event (e.g. property for sale, special events, grand openings, sales, etc). Temporary signs should also only be permitted during business or event hours.

**SIGN STRUCTURE:** The supporting unit of a sign face, including but not limited to frames, braces cabinets, and poles.

**SITE PLAN**. A plan prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features, interior vehicular and pedestrian access proposed for a specific parcel of land.

**SOLID WASTE**. Garbage; refuse; sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility; or other discarded materials including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, or agricultural operations or from community activities. However, the term solid waste does not include:

Solid or dissolved materials in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges, which are point sources subject to permits under Section 402 of the Water Pollution Control Act Amendments (33 U.S.C. 1342);

Source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2011 et. seq.); or

Manures or crop residues returned to the soil at the point of generation as fertilizers or soil conditioners as part of a total farm operation (P.L. 143-1985, Section 90).

**SOLID WASTE PROCESSING FACILITY**. A solid waste facility upon which is located a solid waste incinerator, transfer station, solid waste baler, solid waste shredder, resource recovery system, composting facility, garbage grinding facility, and other facilities, or recycling facilities, not included in the above definition if subsequently approved by the Orange County Solid Waste Management District and the Indiana Department of Environmental Management.

**SOLID WASTE TRANSFER STATION**. A facility for the collection, separation, compaction, processing and storage of solid waste until said waste can be transported or transferred to a sanitary landfill or other facility approved and licensed for the disposal of solid wastes by the State of Indiana.

**SPECIAL EXCEPTION**. The authorization of a use, designated as being permitted in the district concerned if it meets special conditions, and upon application, is specifically authorized by the BZA.

**SPECIFIED ANATOMICAL AREAS**. This phrase means and includes any of the following:

Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areola; or

Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**SPECIFIED SEXUAL ACTIVITIES**. This phrase means and includes any of the following:

Human genitals in a state of sexual stimulation or arousal;

Acts of human masturbation, sexual intercourse or sodomy;

Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;

Flagellation or torture in the context of a sexual relationship;

Masochism, erotic or sexually oriented torture, beating or the infliction of pain;

Erotic touching, fondling or other such contact with an animal by a human being; or

Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in items 1 through 6 above.

**STABLE, PRIVATE**. An accessory building in which horses are kept for private use and not for remuneration, hire, or sale.

**STABLE, PUBLIC**. An accessory building in which horses are kept for commercial use including boarding, hire, riding, show, or sale.

**STATE**. The State of Indiana.

**STORY**. That part of a building between the surface of a floor and the ceiling immediately above; or if there is a floor above, the portion of a building between the surface of any floor and the surface of the next floor above. A basement shall not be counted as a story.

**STREET or ROAD**. A right-of-way established for or dedicated to the public use, which affords the principal means of access to abutting properties.

**STRUCTURAL ALTERATION**. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the exterior walls or roof.

**STRUCTURE**. Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground.

**SUBDIVIDER**. Any person having an interest in land that is the subject of an application for subdivision. Also, a person submitting an application for subdivision.

**SUBDIVISION**. The division of a lot, tract or parcel of land into two (2) or more lots, tracts, parcels or other divisions of land for sale, development or lease.

**SUBDIVISION, MAJOR RESIDENTIAL**. The division of a lot, tract, or parcel of land into five (5) or more residential lots, tracts, parcels or other divisions of land for sale, development or lease over a period of ten (10) or less years. The parent lot, tract or parcel of land counts as one (1) of the subdivided lots, tracts, parcels or other subdivisions of land for the purpose of determining whether the application for approval is to be treated as a major or minor residential subdivision.

**SUBDIVISION, MINOR RESIDENTIAL**. The division of a lot, tract, or parcel of land into two (2) to four (4) residential lots, tracts, parcels or other divisions of land for sale, development or lease over a period of ten (10) or more years. The parent lot, tract or parcel of land counts as one (1) of the subdivided lots, tracts, parcels or other subdivisions of land for the purpose of determining whether the application for approval is to be treated as a major or minor residential subdivision.

**SUNROOM**. A single-story structure architecturally incorporated into a primary structure, projecting from that structure, with a glazing area in excess of forty percent (40%) of the gross area of the sunroom structure’s exterior walls.

**SWIMMING** **POOL**. A self-contained body of water at least eighteen (18) inches in depth used for recreational purposes. Such body of water may exist in a metal tank, plastic lined or masonry structure located either above or-below ground level. Swimming pools may be either public or private in use. A private pool is considered as an accessory use.

**TEMPLE**. See “CHURCH or TEMPLE”.

**THOROUGHFARE**. See “STREET”.

**THOROUGHFARE, PERIMETER**. An existing or proposed street that either lies on the edge of or passes through a proposed subdivision and is designated in the Thoroughfare Plan with a functional classification of collector or higher.

**THOROUGHFARE PLAN**. The portion of the Comprehensive Plan which identifies the existing and proposed locations of interstate highways, primary arterials, secondary arterials, feeders and local roads and streets and rights-of-way within the Jurisdictional Area, as amended from time to time under IC 36-7-4-506.

**TOWN**. The incorporated constituent areas under the jurisdiction of this UDO.

**TRADE OR BUSINESS SCHOOL**. A secretarial or business school or college when not publicly owned or not owned or conducted by or under the sponsorship of a religious, charitable, or non-profit organization, or a school conducted as a commercial enterprise for teaching music, dancing, barbering, hair dressing, drafting, or industrial or technical arts.

**TRANSFER STATION**. A solid waste processing facility at which solid waste is transferred from a vehicle or a container to another vehicle or container for transportation, but shall not include neighborhood recycling collection centers or transfer activities at generating facilities.

**TRUCK SERVICE CENTER**. An occupancy, which provides especially for the servicing of trucks, with incidental operations similar to those permitted for “Automobile Service Station”.

**UDO**. The Unified Development Ordinance for the Town of Paoli as approved by the Paoli Town Council and as amended from time to time.

**USE**. The specific purposes, for which land or a building is designated, arranged, intended or for which it is or may be occupied or maintained.

**VARIANCE**. A modification of the specific requirements of this ordinance for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and district.

**VETERINARY ANIMAL HOSPITAL OR CLINIC**. A facility where the primary use is for a licensed veterinarian and his/her supervised staff to care for, diagnosis, and treat sick, ailing, infirm or injured animals, and those in need of medical or surgical attention. Temporary boarding on the premises as an accessory use is allowed

**VIDEO STORE**. A business where videos and associated visual home entertainment products are sold, rented, or otherwise distributed, excluding sexually oriented material.

**WATERCOURSE**. A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

**WIRELESS COMMUNICATIONS FACILITY**. Any towers, poles, antennas or other structures intended for use in connection with transmission or receipt of radio or television signals, or any other spectrum-based transmissions/receptions.

**YARD**. A space on the same lot with principal building, open, unoccupied and unobstructed by structures, except as otherwise provided in this ordinance.

**YARD, FRONT**. A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lampposts and similar structures, the depth of which is the perpendicular distance between the street right-of-way line and the front setback line.

**YARD, REAR**. A yard extending across the full width of the lot between the rear of the main building and the rear lot line the depth of which is the perpendicular distance between the rear lot line and the rear setback line.

**YARD, SIDE**. A yard extending across the full length of the lot, unoccupied other than by steps, walks, terraces, driveways, lampposts, and similar structures, the depth of which is the perpendicular distance between the side lot line and the side setback line.

**YARD SALE**. Garage sales, rummage sales, yard sales, and the like shall mean the sale of personal property from a residentially occupied site, provided that such sale shall not extend beyond three (3) consecutive days and further that they may be conducted to a maximum of four (4) times in a calendar year.

**ZONE MAP**. The map or maps that are a part of the Zoning Ordinance and delineate the boundaries of zone districts and any amendments thereto of the jurisdictional area of the PPC.

**ZONING DISTRICT**. See “DISTRICT”.