Indy Rezone

Fundamentals

New ordinance in effect on April 1, 2016

Overall Concept

More sustainable, more livable

Update and modernize the code

Also, make the code easier to read and understand by:

- Consolidating and simplifying content
- Using more tables and diagrams
- Organizing all regulations into 5 chapters

Structure

Chapter 740 – General provisions

Chapter 741 – Subdivision Regulations

Chapter 742 – Districts

Chapter 743 – Uses and Use-Specific Standards

Chapter 744 – Developments Standards

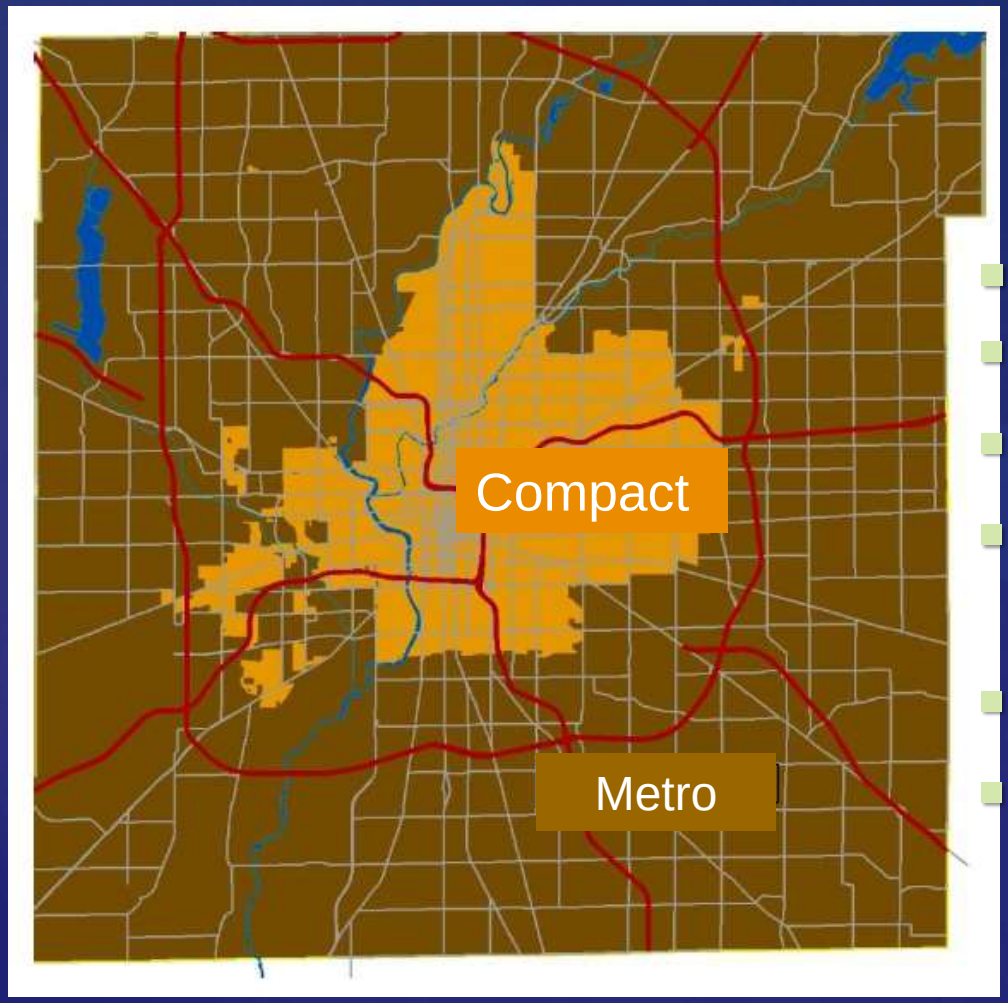
Sec. 740-500 Context Areas

- Compact includes older patterns of development (e.g. grid system, shorter blocks, mix of uses)
- Apply “context sensitive” development standards
- Map the two different contexts:
  - Compact Context
  - Metro Context
- Will be a GIS / Mapindy layer

Metro

Compact

Context Area Map



- <u>Examples of Differences</u>
- Setback requirements
- Parking standards
- Stream corridor provisions
- Drainage
- Secondary dwelling units

Chapter 740 – General Provisions

Sec. 740-600 Application and Nonconformities

Mostly carried over; better wording

New provision: nonconforming residence may rebuild if 100% destroyed by disaster

Sec. 740-800 Improvement Location Permits

Mostly carried over; some changes per DCE

Added new sections to require:

- Elevations, Landscape & Lighting Plan

More substantial documentation required for mining and wellfield districts

Chapter 741 – Subdivision Regulations

Major changes to improve the quality of new development

Key Changes:

- Now applies to commercial and industrial properties
- Greater emphasis on connectivity
- Includes stream protection corridor
- Residential: More emphasis on open space requirements
- Residential: Require LID in Metro Context Area

Chapter 742 - Districts

Article I Primary Districts

- ✓ Purpose statement for each district: Districts are more distinct, purpose-driven
- ✓ Table with *some* Dimensional Standards

  NOTE: More detailed in 744-201

- ✓ Illustrations with some of the key standards
- ✓ Additional standards that are unique to that district
  - MU districts
  - CBD districts
  - Transparency in Commercial districts

Chapter 742 - Districts

Key Changes in Primary Districts

Dwelling: D-12 District eliminated, renamed as D-5

Industrial:

- No longer U or S categories
- Context Areas now apply

Commercial:

- C-6 eliminated, renamed C-4
- C-ID eliminated, renamed C-7
- C-2, C-3C Districts renamed MU-1 & MU-2

Mixed-Use: 4 New districts!

Sec. 742-105
Mixed Use Districts

Four MU districts

- **MU-1**: Freestanding MU Tower (was C-2)
- **MU-2**: MU corridor-type development (was C-3C)
- **MU-3**: Mixed use village or neighborhood center
- **MU-4**: Mixed use village w/ rapid transit required

use alone or in combination with other districts to fulfill transit typology needs

TRANSIT-READY

Sec. 742-105: Mixed Use Districts

- Accommodates new & Redevelopment opportunities
- Standards to create walkable areas:
  - » Setbacks: close to street
  - » Lot coverage
  - » Parking: reduced requirements
  - » Windows & doors (transparency)
  - » Lighting
  - » Building Height: Bonuses available for residential

Sec. 742-200 Secondary Districts

- Regional Center: No changes
- **Flood Control**: Important changes
  - Compensatory Storage required
  - Critical Facilities prohibited
- **Wellfield**: Important changes
  - Prohibited activities, such as underground storage tanks
  - Secondary containment required
- Airspace: No changes
- **Gravel, Sand, Borrow** (GSB): Complete rewrite

Use Table

Use Category (5)

Key

Table 743-1: USE TABLE

P = Permitted use
S = Special exception use
V = 'P' if Vacant for 5 consecutive years

A = Accessory use
T = Temporary use

Zoning District / LAND USE CATEGORY	D-A	D-S	D-1	D-2	D-3	D-4	D-5	D-5II	D-6	D-6II	D-7	D-8	D-9	D-10	D-11	C-1	C-3	C-4[1142]	C-5	C-7[1143]	MU-1[1144]	MU-2[1145]	MU-3[1146]	MU-4[1147]	I-1-U&S	I-2-U&S	I-3-U&S	I-4-U&S	CBD-1	CBD-2	CBD-3	Use-Specific Standards (Article III)
Garden, as a Primary Use[1190]	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	P	P	A	A	P	P	P	P	A	P	P	Article III.Section 04.E
Processing, and Packaging of Food and Beverages[1191]																									S	P	P	P				
Stock Yards and Processing of Stock[1192]																												S				
COMMERCIAL and INDUSTRIAL USES[1193]																																
Food, Beverage, and Indoor Entertainment																																
Adult Entertainment Business[1207]																		P	P	P												Article III.Section 05.A
Bar or Tavern[1208]																	P	P	P	P	P	P	P	P					P	P	P	Article III.Section 05.H
Eating Establishment or Food Preparation[1209]													A	A		A	P	P	P	P	P	P	P	P	A	A	A	A	P	P	P	Article III.Section 05.M
Indoor Entertainment[1210]																A	A	P	P	P	A	A	P	P	V	V			P	P	P	Article III.Section 05.S
Night Club or Cabaret[1211]																		P	P	P			P	P					P	P	P	Article III.Section 05.Y

Land Use

Use Type

Can I do it?

Yes, but…

Sec. 743-100
Use Table

Increased Flexibility in some districts

» Pushed uses into the lowest district possible

» Add limited commercial uses in multifamily districts

» Add the “missing middle” housing types

» Allow “secondary dwelling units” in some single-family districts

» Allow more uses when buildings experience long-term vacancy (V-option)

Accessory & Temp Uses handled separately

Table 743-1: USE TABLE

P = Permitted use
S = Special exception use
V = 'P' if Vacant for 5 consecutive years

A = Accessory use
T = Temporary use

Zoning District / LAND USE CATEGORY	D-A	D-S	D-1	D-2	D-3	D-4	D-5	D-5II	D-6	D-6II	D-7	D-8	D-9	D-10	D-11	C-1	C-3	C-4	C-5	C-7	MU-1	MU-2	MU-3	MU-4	I-1	I-2	I-3	I-4	CBD-1	CBD-2	CBD-3	Use-Specific Standards
Wholesale Distribution or Storage																																
Bulk Storage of Commercial or Industrial Liquids																												P				Article III.Section 05.J
Heavy Outdoor Storage																										S	P	P				Article III.Section 05.R
Mini-Warehouses (Self-Storage Facility)																			V	P					P	P	P	P				Article III.Section 05.X
Warehousing, Wholesaling and Distribution																			V	P					P	P	P	P	P	P		Article III.Section 05.MM
ACCESSORY and TEMPORARY USES																																
Amateur Radio Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.D
Antenna, Radio or Television Broadcasting																											A	A	A	A	A	Article III.Section 06.E
Automated Teller Machine (ATM)													A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.F
Bicycle Sharing									A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Child Care Home	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A						A	A	A	A					A	A	A	Article III.Section 06.G
Drive-Through																A	A	A	A	A	A	A			A	A	A	A		A		Article III.Section 06.H
Employee Living Quarters	A	A	A	A	A	A	A	A	A	A	A	A	A	A							A	A	A	A					A	A	A	Article III.Section 06.I
Game Courts	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	Article III.Section 06.J
Home Occupations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A																	Article III.Section 06.K

Permitted if Vacant, or "V" uses

- All new concept
- Added to encourage adaptive reuse
- The following uses are permitted in districts indicated on the Use Table if the existing **building** is vacant for 5 consecutive years

EXAMPLES:	additional districts
Dwelling Units	C-1, C-3, C-4, and C-5
Live/Work Unit	C-1, C-3, C-4, and C-5
Religious Uses	I-1-U&S
Offices: Business, Professional or Government	All industrial districts
Artisan Food	I-1-U&S and I-2-U&S
Artisan Manufacturing	MU-1, C-5, and C-7

Sec. 743-300
Use Specific Standards

- Applies to the use regardless of district, so always check
- Provides much of the regulatory detail
- Note the table for spacing of uses (Table 743-301-1)
- Organized by broad types of uses:

  Residential, Public, Agricultural, Commercial and Industrial
- Separate listing for Temporary & Accessory Uses

Table 743-301-1: Required Spacing for Specific Uses			
Use Type	**Minimum Distance from Same Use Type (Existing or Approved)**	**Minimum Distance from Other Use Types or Districts (Existing or Approved)**	**Reference to Standards in this Article III.**
Adult Entertainment Businesses	500 feet	500 feet from the following: • church • church zoning district • public, private or parochial school for K-12 • school zoning district • park • park zoning district • locally designated historic preservation area • area under jurisdiction of Meridian Street Preservation Commission • day care center • day care home • any existing dwelling zoning district	Section 05.A Section 05.B
Agricultural Uses, involving confinement operations for cattle, hogs or poultry		500 feet from any dwelling units located on a lot of less than 3 acres	Section 04.A
Animal Care, Boarding, Veterinarian Services		• 100 feet from all dwelling districts other than the D-A district • 500 feet between any area devoted to confinement operations for cattle, hogs or poultry and any dwelling unit located on a lot less than 3 acres in size	Section 04.A Section 04.B
Automobile and Light Vehicle Wash		100 feet from any protected district	Section 05.D
Automobile Fueling Station		½ mile from any Transit Station	Section 05.E
Bar or Tavern		• 100 feet from any protected district • 500 feet from any Indoor Recreation	Section 05.H

Section 06. Accessory and Temporary Uses

A. General Conditions in the Dwelling Districts

1. Accessory uses in all dwelling districts shall comply with the following requirements:
   a. Any accessory use shall be customarily incidental, accessory and subordinate to, and commonly associated with, the operation of the primary use of the lot.
   b. Any accessory use shall be operated and maintained under the same ownership and on the same lot as the primary use.
   c. Accessory uses or structures shall not be permitted on a lot prior to the erection of the primary building.
2. Accessory buildings and minor residential structures in all dwelling districts shall comply with the following requirements:
   a. The horizontal land area covered by the primary building and all accessory buildings and all game courts and all minor residential structures must cumulatively meet the required open space requirement of the district.
   b. The horizontal land area covered by any one accessory building or minor residential structure must be less than the horizontal land area covered by the primary building.
   c. The height of any accessory building or minor residential structure shall be less than the height of the primary building.
3. In the D-A district on lots in which an agricultural use is being conducted, the height of buildings and structures, except for the primary dwelling unit, shall not be limited if used for agricultural purposes, such as barns, silos, or equipment sheds.
4. On lots in the D-A, D-S, D-1, D-2, D-3, D-4, D-5, D-5II and D-8 dwelling districts improved with a Single-family detached dwelling, Single-family atttached dwelling, or Two-family dwelling, minor residential structures:
   a. Shall not be located closer to any front or side lot line than the required minimum front and side yard setbacks of the dwelling district, or, in the case of a front yard, the established front yard setback on the lot, whichever is greater;
   b. Shall not be located closer to any rear lot line than 5 feet;
   c. Shall comply with the minimum side yard requirements of the district independently of the side yards established by the primary building; and

Development Standards
Sec. 744–200 Lot & Building Dimensions

- Tables 744-201 (1 thru 6)

- New Construction for Nonconformities
  All exceptions included in one place
- Special Dimensional Standards
  Consolidated into one place
- Height Exceptions and Encroachments
  Single table

Table 744-201-1: Dimensional Standards for Districts D-A through D-5II

Standards apply to Metro and Compact Context Areas unless indicated otherwise. Units are in feet unless indicated otherwise.

Standard / District	D-A	D-S	D-1	D-2	D-3	D-4	D-5	D-5II	D-8 [3]
Lot [1]									
Minimum Lot Area									
Single-family Detached	3 acres	1 acre	24,000 sf	15,000 sf	10,000 sf	7,200 sf	5,000 sf	2,800 sf	N/A
Two-family Dwelling	N/A	N/A	N/A	20,000 sf	15,000 sf	10,000 sf	7,200 sf	5,000 sf	N/A
Single-family Attached	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2,400 sf	N/A
Minimum Lot Width									
Single-family Detached	250	150	90	80	70	60	50	40	30
Two-family Dwelling	N/A	N/A	N/A	120	105	90	70	60	30
Single-family Attached	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20	20
Minimum Street Frontage									
Single-family Detached	125	75	45	40	35	30	25	25	30
Two-family Dwelling	N/A	N/A	N/A	40	35	30	25	25	30
Single-family Attached	N/A	N/A	N/A	N/A	N/A	N/A	N/A	20	20
Minimum Total Open Space	85%/50% [2]	85%	80%	75%	70%	65%	60%	55%	55%
Maximum Height									
Primary Building Height	35	35	35	35	35	35	35	35	35
Primary Building Height may increase 1 ft. per 1 ft. of additional side setback up to:	45	45	45	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Accessory Building Height [5]	24	24	24	24	24	24	24	24	24
Accessory Building Height may increase 1 ft. per 1 ft. of additional side setback up to:	45	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Floor Area for Primary Dwelling Unit									
Main Floor of a 1-story dwelling	1200 sf	1200 sf	1200 sf	1200 sf	1200 sf	900 sf	900 sf	800 sf	800 sf
Main Floor of a dwelling over 1 story	800 sf	800 sf	800 sf	800 sf	660 sf	660 sf	660 sf	660 sf	660 sf

Section 04. Height Exceptions and Yard Encroachments

The following exceptions to height limits and encroachments into required setbacks and yard areas are allowed as indicated in Table 744-204-1: Encroachments and Exceptions.

Table 744-204-1: Encroachments and Exceptions	
Structure or Feature	**Conditions or Limits**
Encroachments into Required Yard or Setback	
Accessory boat dock, residential	No setback required from lot lines along the water.
Accessory clotheslines, play equipment	May encroach into the side or rear yard setback.
Architectural features (sills, belt courses, eaves, cornices), awnings and canopies, bay windows, gutters and downspouts	May encroach no more than 4 ft. into any side or rear setback in the Industrial Districts; no more than 18 in. into any yard or setback in all other districts.
Balconies and porches associated with a project	May encroach up to 5 feet into the required perimeter yard and up to 5 feet into the required distance between buildings.
Chimneys and flues	May encroach not more than 2 ft. into any required front or side yard setback; however, not into a right-of-way.
Composting bin (personal)	May encroach into required rear yard setback or required side yard setback.
Enclosed vestibule or fixed canopy with a floor area of not more than 40 sq. ft.	May encroach not more than 4 ft. into front setback; however, not into a right-of-way.
Fences and walls meeting the standards of Section 744-511 Fences and walls	Fences and walls may be located up to a lot line. Further, in Dwelling districts and Mixed-Use districts, fences may be located within 1 ft. of sidewalk in the public right-of-way along local and collector streets even if that location encroaches into the right-of-way.
Fuel pumps or pump islands that do not have a canopy	May not be located closer than 15 ft. from any right-of-way or closer than 50 ft. from any Dwelling district boundary.
Industrial facilities along a railroad or rail spur	No setback required from a railroad or rail spur.

Sec. 744-205 Stream Protection Corridor

- Intended to improve surface water quality
- Mapped in GIS / MapIndy

Section 05. Stream Protection Corridors

A. Establishment of Stream Protection Corridors

1. A stream protection corridor shall consist of a strip of land, extending along both sides of all streams shown on the map of natural, non-intermittent streams maintained by the Department of Metropolitan Development.
2. The minimum width of the stream protection corridor must be provided as shown in the Table 744-205-1. The width is measured parallel to the top of bank.

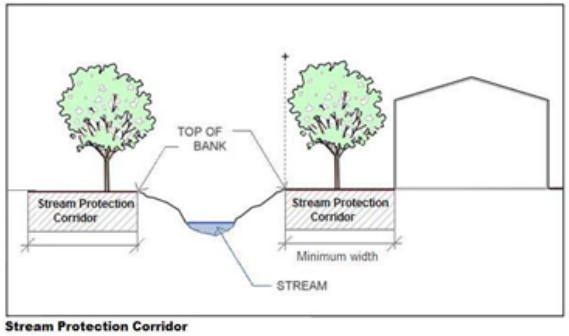


Diagram UU Stream Protection Corridor cross-section

Table 744-205-1: Stream Protection Corridor Widths		
	Category One Streams	Category Two (Other Mapped Streams)
Compact Context	60 feet	25 feet
Metro Context	100 feet	50 feet

3. When wetland areas extend from within a Stream Protection Corridor's required boundary to a point outside of that boundary, the corridor width shall be adjusted to include the extent of the wetland.
4. Category One Streams are listed in Table 744-205-2.

Table 744-205-2: Category One Streams		
Bean Creek	Big Eagle Creek	Big Run
Buck Creek	Bunker Creek	Crooked Creek
Devon Creek	Dry Branch of Fall Creek	Eagle Creek
East Fork of White Lick Creek	Fall Creek	Fishback Creek
Flat Branch	Goose Creek	Grassy Creek
Indian Creek	Lick Creek	Little Buck Creek

Sec. 744-300
Access & Connectivity

- Connections required for…
  - Greenway Access, Bike Path Access, Safe Route
- On-site Connectivity required
  - Walkway from sidewalk/ROW to public entrance and between buildings
- Sidewalk provisions

Table 744-302-1: Minimum Sidewalk Widths

District	Street Classification	Unobstructed Width
Dwelling Districts	Collector, Local and Cul-de-sac	4 feet
Dwelling Districts	All other streets	5 feet
All CBD and all MU districts	Local and Cul-de-sac	5 feet
All CBD and all MU districts	All other streets	8 feet
All other districts	All streets	5 feet

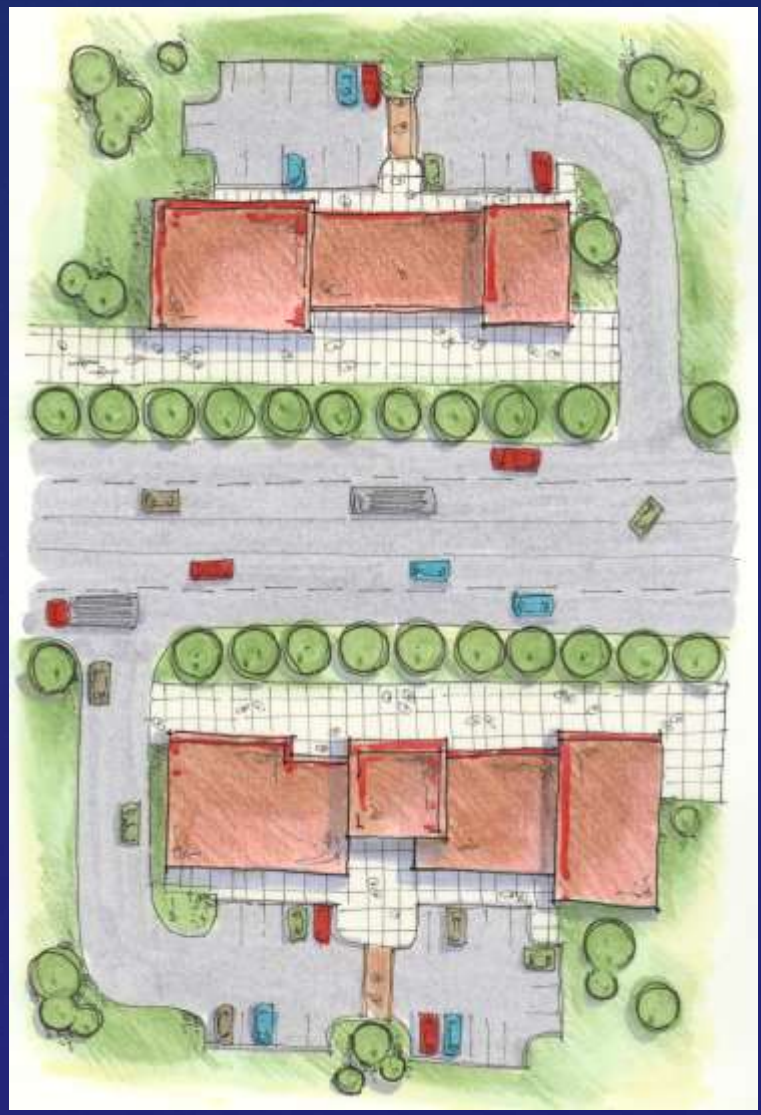
Sec. 744-400
Parking, Loading & Drive-Through

Number of parking spaces

- Ratio reduced for most uses
- No on-site parking required for non-residential uses on lots less than 5,000 sq. ft.
- Maximum number of parking spaces set for some uses
- Minimum bicycle parking required for many uses

Location of parking

- Limits parking in front of building in Compact Context area



Sec. 744-509. Green Factor

- All zoning districts except CBD, MU, D-A through D-5II, D-8 used by SFR & 2FR

- ½-acre or more land disturbed must meet Green Factor of…

  .30 or more for new development,

  or

  .22 or more for redevelopment

- Alternative to Green Factor: ENERGY STAR 75 building

Table 744-509-1: Green Factor Calculation

Column A	Column B	Column C	Column D	Column E
Type of Area or Element	**Number of Plants**	**Measured Area or Area Equivalent in Sq. Ft.**	**Multiplier**	**Score**
Parcel Size				
Landscaped areas with uncompacted soil depth less than 24 inches				
Area of lawn, grass pavers, ground covers, or other plants typically less than 3 ft tall at maturity			0.2	
Large shrubs or ornamental grasses [1]		16 sq. ft. per	0.3	
Landscaped areas with uncompacted soil depth of 24 in. or more				
Required Yards with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			1.0	
Area of other areas with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			0.7	
Large shrubs or ornamental grasses [1]		16 sq. ft. per	0.3	
Small trees [2]		50 sq. ft. per	0.3	
Medium trees [3]		100 sq. ft. per	0.4	
Large trees [4]		200 sq. ft. per	0.4	
Undisturbed Areas [5]				
Undisturbed areas less than 10,000 sf			0.8	
Undisturbed areas 10,000 sf or more			1.5	
Significant Trees over 10 in. DBH preserved		250 sq. ft. per	0.5	
Heritage Trees over 8 in. DBH preserved		250 sq. ft. per	0.5	
Tree Preservation Credits as per Sec. 503.L for preserved Significant or Heritage Trees		250 sq. ft. per	0.5	
Building or Structural Features				
Permeable paving for walkways, parking lots, etc.			1.2	
Photocatalytic pavement or building exterior			1.5	
White roof area			0.1	
Vegetated walls - area of wall covered			0.7	
Infiltration areas, underground chambers or surface, such as sand filters			1.5	
Green roofs:				
Area of green roof with more than 2 in. but not more than 4 in. growing depth			1.2	

Sec. 744-509. Green Factor

- Layered effect
- Variety of options
  - Heritage Tree / Significant Tree / Undisturbed area preservation
  - Permeable or Photocatalytic pavement
  - Green roof or White roof area
  - Vegetated walls
  - Infiltration areas (e.g. underground chambers)
  - Tree credit to the Tree Fund
  - Bioretention areas
  - Drought-tolerant or native species
  - Use of harvested rainwater

Table 744-509-1: Green Factor Calculation

Column A	Column B	Column C	Column D	Column E
Type of Area or Element	**Number of Plants**	**Measured Area or Area Equivalent in Sq. Ft.**	**Multiplier**	**Score**
Parcel Size Enter Lot area in sf				
Landscaped areas with uncompacted soil depth less than 24 inches				
Area of lawn, grass pavers, ground covers, or other plants typically less than 3 ft tall at maturity			0.2	
Large shrubs or ornamental grasses [1]		16 sq. ft. per	0.3	
Landscaped areas with uncompacted soil depth of 24 in. or more				
Required Yards with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			1.0	
Area of other areas with mulch, ground covers, grass pavers, or other plants typically less than 3 ft tall at maturity			0.7	
Large shrubs or ornamental grasses [1]		16 sq. ft. per	0.3	
Small trees [2]		50 sq. ft. per	0.3	
Medium trees [3]		100 sq. ft. per	0.4	
Large trees [4]		200 sq. ft. per	0.4	
Undisturbed Areas [5]				
Undisturbed areas less than 10,000 sf			0.8	
Undisturbed areas 10,000 sf or more			1.5	
Significant Trees over 10 in. DBH preserved		250 sq. ft. per	0.5	
Heritage Trees over 8 in. DBH preserved		250 sq. ft. per	0.5	
Tree Preservation Credits as per Sec. 503.L for preserved Significant or Heritage Trees		250 sq. ft. per	0.5	
Building or Structural Features				
Permeable paving for walkways, parking lots, etc.			1.2	
Photocatalytic pavement or building exterior			1.5	
White roof area			0.1	
Vegetated walls - area of wall covered			0.7	
Infiltration areas, underground chambers or surface, such as sand filters			1.5	
Green roofs:				
Area of green roof with more than 2 in. but not more than 4 in. growing depth			1.2	
Area of green roof with over 4 in. growing depth			1.4	

(B x C) x D = E

Green Factor = $\frac{\text{Sum of all E}}{\text{area}}$

Sec. 744-600
Street and Exterior Lighting

New requirements

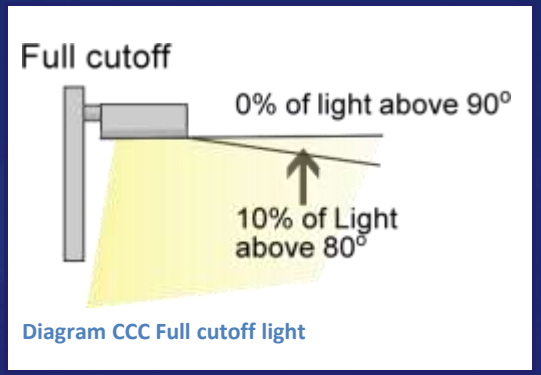


Diagram CCC Full cutoff light

Full cutoff (shielded)

Color rendering index: 70 or more

Minimum efficiency: 80 lumens per watt of energy

Height for pedestrian lighting: ground level to 42” or 10’ to 20’ above grade level

Pole Height

- 20’ in residential
- 50’ in I-3 and I-4
- 80’ for active recreational uses
- 35’ for all other

Questions and Discussion

Download the new ordinance at:

http://www.indy.gov/eGov/City/DMD/Current/Pages/ordinance.aspx

Watch webinars on DMD's YouTube channel:

https://www.youtube.com/channel/UCzSvRIGfZTvLuFzm188tiDQ