

## Overview of Unified Development Ordinance **Revisions**

### Summary

The following is a detailed list of revisions made to the Unified Development Ordinance (the “UDO”) since the introduction of the ordinance to the City Council on June 9, 2014. The revisions (and corresponding page numbers) listed below are reflected in the attached redlined version of the UDO (see Exhibit 2).

### Chapter 4: Zoning Districts

- 1) **Article 4.2(G) AG-SF1 District; Maximum Building Height** (pg. 4-3): This standard was revised so the maximum building height is determined by the number of stories, rather than feet, to better take into consideration taller ceiling heights in modern homes, as well as varying roof pitches.
- 2) **Article 4.3(G) AG-SF1-I District; Maximum Building Height** (pg. 4-4): See above.
- 3) **Article 4.4(G) SF1 District; Maximum Building Height** (pg. 4-5): See above.
- 4) **Article 4.5(G) SF2 District; Maximum Building Height** (pg. 4-6): See above.
- 5) **Article 4.11(K) MF2 District; Maximum Building Height** (pg. 4-12): This standard was revised so the maximum building height is more consistent with recently approved multi-family development projects, which are typically three-story buildings. Similar to single family homes, modern multi-family buildings may also have taller ceiling heights and varying roof pitches.

### Chapter 5: Overlay Districts

- 6) **Article 5.5 Floodplain Overlay District (FOD)** (pg.5-26): New countywide floodplain maps have been produced for Hamilton County and will become effective on November 19, 2014. As a result, the Indiana Department of Natural Resources provided an updated state-wide template floodplain ordinance that has been incorporated accordingly.

### Chapter 6: Development Standards

- 7) **Article 6.1(I) Accessory Use and Building Standards; Agriculture-Related Accessory Buildings and Uses** (pg. 6-6):
  - a. Article 6.1(I)(2) Stables:
    - i. Removed “Hobby Farm” and revised to apply to “Stables” (see new definition).
    - ii. Removed Minimum Lot Area and Maximum Structure size requirements.
    - iii. Increased the building setback requirement for a Stable from 100’ to 150’.
- 8) **Article 6.3(C)(1) Architectural Standards; Single-family Districts (Residential Uses); Perimeter Lots** (pg. 6-11):
  - b. Article 6.3(C)(1) Perimeter Lots: “Adjacent” was replaced with “abutting” for clarification because “abutting” is already defined within Chapter 12.
  - c. Article 6.3(C)(1)(a)(i) and (ii) Front Façade Orientation: Added to encourage frontage roads.
  - d. Article 6.3(C)(1)(b)(i) Minimum Requirements: Added “qualifying characteristics” for the newly added section (see below).

- e. Article 6.3(C)(1)(b)(ii) Qualifying Characteristics (pg. 6-12): Added to allow points to be met for characteristics of a home or site design that further the objective of this section.
  - f. Article 6.3(C)(1)(b)(iii) Architectural Features:
    - i. (b)(2) Exterior Materials: Expanded “full first floor” Masonry Material to take into consideration homes with walk-out basements (which typically for “first floor” only have Masonry Materials to the top height of the basement).
    - ii. (b)(3) Exterior Materials: Added a material variation option to allow for more opportunities to create architectural interest and minimize monotony.
    - iii. (c) Façade Projections or Recessions (pg. 6-13): Refinements were made, as redlined, for clarity based on the intent of the specific architectural features.
    - iv. (d) Windows: Clarified the window standard does not include doors.
    - v. (d)(3) Windows: Reduced the minimum square footage of windows that could qualify as a point for side elevations.
    - vi. (d)(4) Windows: Added language that acknowledges there may be alternative window trims that accomplish the same objective which may be considered.
  - g. Article 6.3(C)(1)(b)(iv) Streetscape Diversity for Perimeter Lots (pg. 6-14): Added language that acknowledges that the same architectural features on adjacent homes may not result in monotony. As a result, the language allows for possible exceptions, subject to the design and placement of various features in the context of the specific building façade and adjacent homes.
- 2) **Article 6.3(C)(2) Architectural Standards; Single-family Districts (Residential Uses); Streetscape Diversity** (pg. 6-14):
- a. Article 6.3(C)(2)(a) Front Load Garages: Added that a side load garage qualifies to meet this objective.
  - b. Article 6.3(C)(2)(b) Varying Building Setbacks: Add qualifying numbers. Also added that site designs (e.g., winding streets) that result in a varying streetscape qualify meet this objective.
- 3) **Article 6.3(D)(2) Architectural Standards; Single-family Districts (Non-Residential Uses); Building Materials** (pg. 6-15): Clarified that non-residential building’s architecture should be consistent with residential “character” rather than “construction methods” of the surrounding area.
- 9) **Article 6.3(E)(4) Architectural Standards; Multi-Family Districts**:
- a) Article 6.3(E)(1) Building Separation (pg. 6-15): Deleted (building separation standard already exists in Chapter 4 for Multi-family Districts).
  - b) Article 6.3(E)(4) Windows (pg. 6-16): Added minimum window requirement.
- 10) **Article 6.3(F)(2)(c)(ii) Architectural Standards; Business Districts**: (pg. 6-17):
- a) Article 6.3(F)(2)(c)(ii) General Standards: Added qualifier in case all facades are deemed to be “external facades”.
  - b) Article 6.3(F)(3) Architectural Theme: Revised to require “complementary”, rather than “common”, architectural themes.
- 11) **Article 6.5(B) Fence Standards; Location** (pg. 6-21): Removed restriction for placement of fences in the “future” right-of-way.

**12) Article 6.8 Landscaping Standards:**

- a) Article 6.8(C)(3); Content of Landscape Plan (pg. 6-27): Relocated requirement for preserved trees to be shown on landscape plan for those areas to be preserved and credited.
- b) Article 6.8(E)(3); Preservation and Replacement of Trees; Tree Inventory (pg. 6-28): Revised to clarify to only require inventory for those trees to be preserved and credited.
- c) Article 6.8(E)(6); Preservation and Replacement of Trees; Incentives to Preserve Trees (pg. 6-28):
  - i. Added qualifiers for “cull species” and “deformed trees”.
  - ii. Increased the minimum tree size that can be credited from 2” caliper to 4” caliper.
  - iii. (pg. 6-29) Clarified that in addition to buffer yards, existing vegetation can be credited in External Street Frontage Landscaping Areas.
- d) Article 6.8(F)(2)(c); Mounds; Groundcover (pg. 6-29): Added requirement for mounds to be covered with grass or other living groundcover.
- e) Article 6.8(G) General Landscape Design Standards:
  - i. (4)(f) Placement; Easements (pg. 6-31): Added that the prohibition of landscaping in easements only applies if easement would otherwise prohibit the landscaping.
  - ii. (6) Noise Reduction (pg. 6-32): Deleted the 30 degree mound slope to be consistent with Article 6.8(F)(2)(b) permitted mound slope maximum of 3:1.
- f) Article 6.8(H) General Screening Standards: (pg. 6-32):
  - i. (1) Heating and Cooling Facilities: Added clarification.
  - ii. (2) Dumpster and Loading Areas: Added combination option.
- g) Article 6.8(J) Street Trees: (pg. 6-33):
  - i. (2) Location: Added language to clarify that if a developer doesn’t build the street pursuant to the City’s cross-section to accommodate the street tree in the right-of-way, then the street tree shall be planted within ten feet of the right-of-way on the lot.
  - ii. (3) Spacing: Revised to provide greater flexibility in the street tree spacing.
- h) Article 6.8(K); Minimum Lot Landscaping Requirements:
  - i. (Chart) (pg. 6-33): Added standard for “smaller” residential lots.
  - ii. (3) Credit (pg. 6-34): Added language that street tree is not creditable to the minimum lot planting requirements.
- i) Article 6.8(M); External Street Frontage Landscaping Requirements; Easements: (pg. 6-35): Added that the prohibition of landscaping in easements only applies if easement would otherwise prohibit the landscaping.
- j) Article 6.8(N)(5); Buffer Yard Requirements (pg. 6-36):
  - i. (4)(Chart) Buffer Yard Types: Changed “canopy” tree to “shade” tree.
  - ii. (5)(Chart) Required Buffer Yard (pg. 6-36):
    - 1. Article 6.8(N)(3) requires the more intense use is required to install the buffer. As a result, the chart was revised to remove any confusion or misapplication of this requirement.
    - 2. Deleted “agricultural” use column to default to AG-SF1 column.

- 13) **Article 6.9(F)(6) Lighting Standards; Multi-Family Residential, Business and Industrial Standards** (pg. 6-40): Refined lighting after close of business to be calculated as a percentage of reduction in the lighting, rather than a percentage in the reduction in the number of lights turned off.
- 14) **Article 6.14(G)(9) Parking and Loading Standards; Off-street Parking:**
  - a) (9) Shared Parking (pg. 6-51): Added standards for permitted shared parking.
  - b) (11)(j) Required Spaces; Offices (pg. 6-52): Revised ratio from 1 space per 200 sq. ft. to 1 space per 300 sq. ft.
- 15) **Article 6.17(F) Sign Standards; General Sign Regulations** (pg. 6-60):
  - a) (4) Illumination: Clarified standard applies to non-residential uses.
  - b) (6)(a) Electronic Signs: Added exception to permit gas price signs as wall signs.
- 16) **Article 6.18 Temporary Uses and Events:**
  - a) (J)(2) Model Homes; Permit Duration (pg. 6-79): Changed permit extension timeframe to six (6) months to one (1) year.
  - b) (L)(5)(c) Farm Stands; Additional Standards (pg. 6-80): Added language to allow smaller signs deemed necessary for public safety.
- 17) **Article 6.19(A) Vision Clearance Standards** (pg. 6-80): Revised to be consistent with the City's Construction Standards.

## Chapter 8: Design Standards

- 18) **Article 8.3(B)(1) Easement Standards; General Easements; Drainage and Utility Easements** (pg. 8-2): Added language to provide flexibility for scenarios (e.g., tree preservation areas) where drainage or utility easements cannot be equally split on abutting properties.
- 19) **Article 8.7(B)(2) Pedestrian Network Standards; General Standards** (pg. 8-13): Revised to clarify for individual residential driveways.
- 20) **Article 8.7(D)(3) Pedestrian Network Standards; Perimeter/External Pedestrian Network Standards** (pg. 8-14): Added cross-reference, if applicable, for the process for off-site pedestrian improvements that may be required by the Plan Commission.
- 21) **Article 8.9(G) Street and Right-of-Way Standards; Improvement Standards:**
  - a) (3) Cul-de-sac Design (pg. 8-17):
    - i. (a) Maximum Length: Increased from 300' to existing ordinance standard of 600'.
    - ii. (b) Terminus Design: Revised to default to the City's Construction Standards.
    - iii. (c) Drainage Easement: Clarified that restricted improvements are above ground.
  - b) (4) Alleys (pg. 8-17): Revised to no longer discourage alleys for residential developments.
  - c) (5) Intersections (pg. 8-18): Revised to default to the City's Construction Standards.
  - d) (7) Curved Streets (pg. 8-18): Revised to default to the City's Construction Standards.
  - e) (8) Street Grades (pg. 8-19): Revised to default to the City's Construction Standards.
- 22) **Article 8.9(J) Street and Right-of-Way Standards; Acceptance of Improvements** (pg. 8-19): Revised for clarification.
- 23) **Article 8.10 Street Light Standards:**
  - a) (B) Street Lights at Intersections (pg. 8-20): Added requirement to comply with utility company standards, in addition to the City's Construction Standards.

- b) (C) Lighting between Intersections (pg. 8-21): Revised to acknowledge that the developer does not typically install the dusk-to-dawn lights on individual homes (rather it is typically the home builder or owner's contractor).
- 24) Article 8.12(A) and (B)(4) Surety Standards; Construction/Performance Surety; Duration of Surety (pg. 8-22): Added language to clarify expectation of developer to request inspections and the list of non-compliance items for completed infrastructure (similar to building permits).
- 25) Article 8.12(C)(4) Surety Standards; Maintenance Surety; Duration of Surety (pg. 8-24): See above.

## Chapter 12: Definitions

- 26) **General**: Added "letter" headings within the body of the definitions. Added "quick link" letters in the left margin of the page for easier navigation of the definitions when used electronically.
- 27) **Agricultural Use** (pg. 12-1): Removed minimum acreage and removed that Hobby Farms and Equestrian Facilities are not Agricultural Uses for purposes of the UDO.
- 28) **Bed and Breakfast** (pg. 12-3): New definition. Added to Chapter 13: Use Table.
- 29) **Equestrian Facility** (pg. 12-8): Removed that an Equestrian Facility is not an Agricultural Use for purposes of the UDO. Clarified the use is accessory to a permitted residential use (effectively requiring a residential dwelling to be located on the property).
- 30) **Farm Stand** (pg. 12-9): Elaborated on example products.
- 31) **Hobby Farm** (pg. 12-10): Deleted.
- 32) **Kennel** (pg. 12-12): Added examples of "small animals" that have historically been qualified.
- 33) **Livestock** (pg. 12-13): Added definition for its use in the new Stable definition (previously the term "livestock" was only used in general terms in the Agricultural Use definition).
- 34) **Recreational Facility** (pg. 12-19): Deleted (not used in UDO).
- 35) **Recreational Facility, Commercial** (pg. 12-19): Previously Commercial Entertainment Facility. Definition has been revised to include commercial athletic facilities.
- 36) **Stable** (pg. 12-25): Added the definition to qualify the increase setback restrictions of Article 6.1(l)(2) Agriculture-Related Accessory Buildings and Uses.
- 37) **Stable, Private** (pg. 12-25): Added the definition. Added to Chapter 13 Use Table.
- 38) **Stable, Public** (pg. 12-25): Added the definition to differentiate with a Private Stable.
- 39) **Story** (g. 12-25): Clarified that a basement is not a Story, for purposes of this ordinance.

## Chapter 13: Use Table

- 40) **AG-SF1 District Uses**:
  - a) **Commissary, food catering service** (pg. 13-3): Deleted as a Special Exception.
  - b) **Assembly halls / auditoriums** (pg. 13-4): Deleted as a Special Exception.
  - c) **Office, Construction Trade** (pg. 13-6): Deleted as a Special Exception.
  - d) **Stable, Private** (pg. 13-6): Replaced Hobby Farm.
- 41) **Bed and Breakfast** (pg. 13-3): Added to be permitted as a Special Exception in the AG-SF1 and LB-H Districts.
- 42) **Commercial Recreational Facility** (pg. 13-5): Added to be permitted in EI District.
- 43) **School, Fine Arts or Commercial** (pg. 13-4): Added to be permitted in EI District.