Westfield City Code

Chapter 16: Zoning Ordinance

TRAIL / GREENWAY OVERLAY ZONE

Applicability: All Zoning Districts within the Westfield-Washington Township Planning Jurisdiction

PURPOSE, INTENT AND AUTHORITY

The purpose of this overlay zone is to protect and enhance the health, safety and welfare of the citizens and property owners of the City of Westfield by protecting the physical integrity of its trails and greenways. This shall provide a stable foundation for its drainage ways and by complying with the Trail / Greenway Overlay Zone as they pertain to the natural character and existing vegetation of the trail and its protection.

It is the City's intent and purpose of this Zone to achieve the following:

1. Provide a consistent design treatment for the private and public properties adjacent to any one of the Trail / Greenways throughout Westfield;

2. Providing controls for architecture and landscape design that establishes a continuity between projects and to improve the physical relationship and human scale between new building construction and the Trail / Greenway;

3. Protecting the Trail / Greenway character;

4. Protecting the physical integrity of the Trail / Greenway.

This Overlay Zone is superimposed over the entire Westfield-Washington Township planning area and its regulations shall take the place of a Zoning Districts requirement where the other is the more restrictive. In establishing this zone, the Plan Commission and City Council relies on I.C. 36-7-4-1400 *et seq.* (Development Plans).

APPLICATION PROCEDURES

A. Development Plan. *See Section WC 16.04.165: Development Plan Review (DPR).*

B. Architectural Design, Exterior Lighting, Landscaping and Signage.

   a. *See Section WC 16.00.000 Architectural Design*
   b. *See Chapter 6 - Landscaping Standards*
   c. *See Chapter 7 - Lighting Standards*
   d. *See Chapter 8 - Signage Standards*

OVERLAY ZONE BOUNDARIES

The boundaries of the Trail / Greenway Overlay Zone (the "Zone") are hereby established as north of the centerline of 146th Street (on the south), east of the Hamilton-Boone County Line (on the west), south of 216th Street (on the north) and, west of Gray / Moontown / Hinkle Roads (on the east). In essence, the boundaries shall be known as Washington Township, Hamilton County, Indiana.

Within the Boundaries there are established two types of sections, generally depicted by the illustrations contained herein.

> Urban Section – Trail / Greenway
> Properties that abut either Trail from ---------- to ---------- on the Monon Trail and ---------- to ---------- on the Midland-Trace Trail.
>
> Rural Section – Trail / Greenway
> Properties that abut either Trail from ---------- to ---------- on the Monon Trail and ---------- to ---------- on the Midland-Trace Trail.

Graphic Under Development with GIS

Illustration #1

PLAN COMMISSION APPROVAL

The Plan Commission must approve, approve with conditions, or disapprove the Development Plan and Architectural Design, Exterior Lighting, Landscaping and Signage for any tract of land within the Trail / Greenway Overlay Zone.

ZONING WAIVER

The Plan Commission may, after a public hearing, grant a Zoning Waiver of the dimensional and quantitative standards of this Chapter, by not greater than thirty-five percent (35%). Any approval to permit such a waiver shall be subject to the following criteria:

A. The proposal shall enhance the overall Development Plan and the adjoining streetscapes and neighborhoods.

B. The proposal shall not produce a Site Plan or street/circulation system that would be impractical or detract from the appearance of the Development Plan or the Zone, and shall not adversely affect emergency vehicle access.

C. The proposal shall exhibit extraordinary site design characteristics, including, but not limited to: Increased landscape treatment, tree preservation, provisions for bicycle and pedestrian traffic.

In granting a waiver, the Plan Commission may impose such conditions that will, in its judgment, secure the purposes of this Chapter. This Section does not affect the right of the applicant under Indiana law to petition the Board for a variance from the development standards provided under I.C. 36-7-4-918.5.

PERMITTED LAND USES

All Land Uses which are permitted in the underlying primary zoning district, except those uses expressly prohibited herein.

Residential uses are permitted; however, shall not comprise more than seventy-five percent (75%) of a project's gross floor area in districts where residential is not permitted by underlying zoning.

PROHIBITED LAND USES

A. Automobile, truck, boat, mobile home, manufactured housing or recreational vehicle sales and service.

B. Sexually oriented businesses.

C. All industrial land uses, except as already designated by the Zoning Map on the date of ordinance adoption.

BUILDING SETBACKS

Urban Section

Trail / Greenway Build-to-Line

A. Minimum: Twelve feet (12'), measured from the actual right-of-way, or a thirty-three feet (33') half right-of-way, whichever is greater.

B. Maximum: There is no maximum setback; however, the area adjacent to the Trail / Greenway may not be used solely for parking. In addition, this area must reflect an awareness of the Trail / Greenway and shall not adversely impact the character of the Trail / Greenway.

C. Buildings with recessed and protruding facades are required within the setback area, and must occur in no less than thirty feet (30') increments.

Side and Rear Setbacks: Not less than ten feet (10').

Conflicting Requirements: Wherever there exists a conflict between the building setback requirements of the Trail / Greenway Overlay Zone, US 31 Overlay Zone, SR 32 Overlay Zone or Downtown Redevelopment Zone, the Trail / Greenway Overlay Zone shall govern. However, parcels in the Overlay with frontage on a public street must adhere to the Front Yard requirements established by other applicable Overlay Zones or their underlying zoning districts.

Rural Section

Minimum Greenway Setback: Thirty feet (30'), measured from the edge of the greenway generally presumed thirty-three feet (33') half right-of-way.

Side and Rear Setbacks: Requirements per underlying primary zoning district.

Conflicting Requirements: Wherever there exists a conflict between the building setback requirements of the Trail / Greenway Overlay Zone, US 31 Overlay Zone, SR 32 Overlay Zone or Downtown Redevelopment Zone, the Trail / Greenway Overlay Zone shall govern. However, parcels in the Overlay with frontage on a public street must adhere to the Front Yard requirements established by other applicable Overlay Zones or their underlying zoning districts.

TRAIL / GREENWAY ACCESS POINTS

NOTE: *TRAIL SPECS HAVE BEEN REMOVED IN FAVOR OF PLACING THEM IN THE THOROUGHFARE PLAN.*

All Trail / Greenway Access Points, whether residential or commercial, shall be designed and built in accordance with an approved Plan and to the Parks and Recreation Advisory Board Standards. All access points shall be constructed of durable materials and shall be designed as to not impede drainage ways. Connection intervals shall be determined by the Director. Where determined appropriate, a non-access agreement may be required to be recorded.

BUILDING ORIENTATION

Every parcel with frontage on the Trail / Greenway system must have at least one building elevation that fronts on the Trail / Greenway.

BUILDING HEIGHT

Urban Section

Minimum height: Two (2) stories.

Maximum height: Forty-two feet (42'), however, additional building height may be permitted with each twenty feet (20') of façade step back from the Trail / Greenway.

Rural Section

Minimum height: None.

Maximum height: As permitted in the primary underlying zoning district or applicable Overlay Zone.

BUILDING REQUIREMENTS

Any new construction with an open floor area of more than 5,000 square feet, but less than 15,000 square feet shall contain a shower and changing facility for employee use.

Any new construction with an open floor area containing more than 15,000 square feet shall provide the above and a covered, long-term bicycle parking area at a rate of one space per 5,000 square feet. Long-term bicycle parking may include an indoor storage area and/or exterior bicycle lockers, as approved as part of the DPR process.

ARCHITECTURAL DESIGN

Buildings in the Urban Section with frontage on the Trail / Greenway must include the following characteristics:

A. Ground and upper floors with transparent glass; ground floor elevations must incorporate the transparent glass as a significant component.

B. Large blank facades are not allowed. All elevations shall exhibit variety through inclusion of architectural elements such as windows and surrounds, storefronts, doors, special brick coursing, pilasters, lintels, canopies and covered walkways or recesses.

   When used, they shall be arranged in a balanced, relatively uniform fashion. Faux window openings and special masonry coursing may be used in service areas, especially areas where rooftop sky-lighting is designed.

C. The first floor and all other floors will have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floors.

D. When applicable, retail storefronts shall have one elevation oriented along the Trail / Greenway on the first floor of the building, except for pedestrian entrances to parking areas or small entrance lobbies for upper floors.

E. Every face of the building with frontage along the Trail / Greenway must have openings for windows.

F. Large expanses of glass are allowed, but the building may not be constructed entirely of a metal and glass curtain wall.

G. Fixed or retractable awnings are permitted if they complement a building's architectural style, material, colors, and details; and do not conceal architectural features; do not impair façade composition; and are designed as an integral part of the façade. Awnings may not be internally illuminated.

H. Pedestrian scale detailing is encouraged on the Trail / Greenway elevation of the building at the ground level. Because the buildings may be viewed very close, all buildings should exhibit articulated detail and ornamentation that is scaled to the pedestrian.

I. Modulation of the roof and/or roof line will be required in order to eliminate box-shaped buildings. Parapets must be fully integrated into the architectural design of the buildings and provide seamless transitions, including exterior materials between the main building mass, mechanical penthouses and other roof structures. Should they be used, partial parapets shall have a return that extends inward to at least the first structural bay, or twenty-five feet (25'), whichever is greater.

LANDSCAPING

Urban Section

Preservation Requirements: Preservation requirements shall be evaluated and determined upon application for and finalized prior to the Plan Commission approval and thereafter in accordance with this Chapter. The City of Westfield, Director of Parks and Recreation shall also approve the Preservation Plan. However, existing vegetation within the Trail / Greenway easement or right-of-way shall be preserved until the Commission approval and may not be removed until Commission approval.

Graphic Under

Development with GIS

Illustration #2

Planting Requirements: When a Development Plan or other Commission approval includes or requires reconstruction of the Trail / Greenway, the landscape plan shall

comply with the Cross Section requirements (*See Illustration 2)* and must meet with the approval of the Director of Parks and Recreation for the City of Westfield.

Rural Section

Preservation Requirements: Existing vegetation within the Trails / Greenway Easement or Rights-of-way shall be preserved in accordance with this Chapter. Any preservation plan brought forth under this Chapter shall also be approved by the Director of Parks & Recreation, City of Westfield.

Planting Requirements: Plantings shall be provided at a rate equivalent to a Buffer Yard, as prescribed in *WC 16.04.06.060, Buffer Yard Requirements.*

General Requirements

A. Sites with existing trees or stands of trees shall protect and incorporate them into the overall site design. The landscape plan must preserve not less then fifty percent (50%) of all trees that are six inches (6") DBH or larger and located within the required yard/setback areas.

B. A five foot (5') wide planting strip shall be provided along the sides and rear of all parking areas. The minimum planting shall include two (2) shade trees and thirty (30) shrubs per 100 liner feet.

C. Parking areas shall be located at the rear or side of buildings, and screened from the Trail / Greenway by low walls, low fences or maintained hedges.

D. Shade trees shall be planted within parking areas greater than 10,000 square feet. There shall be planted one (1) shade and five (5) shrubs per every nine (9) spaces.

E. The design of fencing, sound walls, trash enclosures and similar site elements shall replicate the architecture of the Principal Building in construction material and detailing.

F. All landscaping approved as part of the Development Plan shall be installed prior to issuance of a Certificate of Occupancy by the Department of Community Development, Building Division. If it is not possible to install the approved landscaping because of inclement weather conditions, the property owner shall post a bond prior to the issuance of the Final Certificate of Occupancy for the amount equal to the total installed cost, plus ten percent (10%) of the remaining, uninstalled landscape material.

G. It shall be the responsibility of the owners and their agents to insure proper maintenance of all trees, shrubs and other landscaping approved as part of the Development Plan in accordance with the standards set by this Ordinance/Chapter. This is to include, but is not limited to, replacing dead plantings with identical

varieties or a suitable substitute, irrigations and mulching of planting areas, and keeping the area free of refuse, debris, rank vegetation and weeds.

H. All landscaping is subject to approval by the Plan Commission and Director of Parks & Recreation. No landscaping which has been approved by the Plan Commission may later be substantially altered, eliminated or sacrificed without first obtaining further Commission approval. However, minor material alterations in landscaping may be approved by the Director of Parks & Recreation or designee in order to conform to specific site conditions.

I. Ground level mechanical / telecommunications equipment shall be fully screened so that it is not visible from the Trails / Greenway and any adjoining residential zones or uses using walls, fencing, landscaping, or other method approved by the Commission.

LIGHTING

A. All lighting shall be in accordance with *WC 16.07.010 Lighting Standards* and other applicable Overlay District requirements. In addition, the following standards shall apply to lighting along and/or adjacent to the Trails / Greenway easements or rights-of-way.

B. Exterior lighting of the building(s) or site shall be designed so that light is not directed off the site and that the light source is shielded from direct off-site viewing.

C. Exterior lighting shall be architecturally integrated with the building style, material and color. Roof top lighting shall be prohibited.

D. All exterior architectural, display, decorative and sign lighting shall be generated from concealed, low level fixtures.

E. The maximum height of light standards in parking areas shall not exceed the building height, or twenty-five feet (25'), whichever is less. When light standards abut or fall within ninety feet (90') of single family residential properties, their height shall not exceed fifteen feet (15').

SIGNAGE

A. All signs shall be in accordance with *WC 16.04 Signage Standards* and other applicable District Overlay requirements. In addition, the following standards shall apply to signs facing the Trails / Greenway.

B. Wall signs are allowed in the Urban Section provided that they fit within the horizontal and vertical elements of the building and do not obscure details of the building(s). No sign shall be allowed to extend above the cornice line of a building. Wall signs shall be no larger than permitted under the *WC 16.08 Sign Standards* of this Ordinance and shall be in accordance with an approved Development Plan.

C. Projecting signs no larger than the requirements outlined by *WC 16.08 Sign Standards* of this Ordinance shall be allowed for new or existing buildings in the Urban Section which must comply with setback, orientation and height requirements, as specified herein.

PARKING

A. Parking shall be provided per *WC 16.04.120 Off-Street Loading and Parking*, unless otherwise stated by this Section.

B. In addition to the above, each development within the Overlay Zone shall provide for long-term bicycle parking as required herein.

C. Parking areas shall be set back not less than twenty-five feet (25') from any Trails / Greenway system that are adjacent and shall include landscaping as required herein.

D. Parking structures are permitted adjacent to the Trails / Greenway; provided that the ground level of the façade facing the Trails / Greenway is a non-parking use. Uses may be residential or non-residential in nature, and shall comply with Permitted and Prohibited Uses stated herein.

OTHER REQUIREMENTS

A. Boundary Markers. Upon application for Commission approval a staked survey must be completed to determine the Trails / Greenway property line, if applicable where property under consideration is adjacent to Trails / Greenway. Prior to commencing and throughout the duration of construction, boundary markers shall be placed at the edge of the Trails / Greenway easement or right-of-way. Monuments shall be at least twenty-four inches (24") in height and placed at the property corner abutting the Trails / Greenway. In addition, a temporary construction fence shall be placed along the Trails / Greenway boundary throughout the duration of construction.

B. Upon approval by the City of Westfield, the applicant must provide a copy of the deed by which the title and associated easements and/or right-of-way were conveyed.

C. All other requirements not mentioned in this Section shall remain as stated for that primary zoning classification.

AMENDMENT LOG – TRAILS / GREENWAY OVERLAY ZONE

Ordinance No.	Docket No.	Council Approval	Effective Date	Sections Affected

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