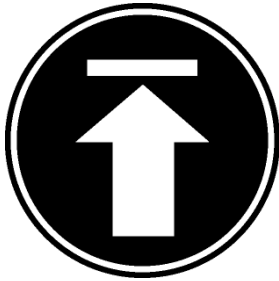


Article 9

General Development Standards



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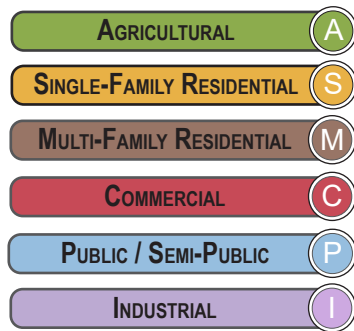
Intent:

The intent of these height standards is to protect the public health, safety, and general welfare by providing for adequate light and air, and by ensuring adequate fire protection service.

9.1 Height Standards

General Height Standards

These General Height Standards apply to all zoning districts:



- A. **Height Requirements:** The maximum height permitted shall be as described below and listed for each zoning district by Article 3 of this Ordinance, subject to the exceptions listed in Section 9.1(B). In all instances, the height of a structure shall be measured from grade level at the lowest point of the base of the structure to the highest point of the of the structure, excluding the necessary appurtenances listed in Section 9.1(B)(4).
- B. **Exceptions:** No structure may be erected or changed so as to make its height greater than specified in the applicable zoning district, except as noted below. For the purposes of this section, the height of church steeples, chimneys, and other structures which are attached or otherwise a part of another structure shall be measured from grade level.
1. **General Exceptions:** The following structures may exceed the permitted height regulations by twofold (x2):
 - a. Church steeples;
 - b. Bell towers;
 - c. Spires, belfries, and cupolas; and
 - d. Industrial related storage tanks, mechanical equipment, and smokestacks.
 2. **Telecommunications Towers and Antenna:** The height of telecommunication towers and antenna shall meet the requirements of Chapter 6.8, Telecommunications Facility Standards.
 3. **Amateur Radio Towers:** Amateur radio towers shall meet the requirements of Section 6.1(F)(3).
 4. **Necessary Appurtenances:** The following structural elements may exceed the permitted height requirements for the applicable structure type (primary, accessory, etc.) for the zoning district in which they are located by up to 10 feet:
 - a. Necessary mechanical appurtenances;
 - b. Utility substations and related essential facilities;
 - c. Water tanks;
 - d. Chimneys;

9.1 Height Standards (cont.)

General Height Standards

- e. Fire towers;
 - f. Stair towers;
 - g. Stage bulkheads; and
 - h. Elevator bulkheads.
5. **Agricultural Structures:** All structures in a zoning district where agriculture is permitted that are used in agricultural products storage and/or processing may exceed the permitted height requirements for the district in which they are located and be erected to any height that is necessary for their operation. This exemption shall not be interpreted as applying to commercial agricultural structures, such as commercial grain terminals and similar uses.
6. **Watertowers:** Watertowers may exceed the permitted height requirements for the zoning district in which they are located and be erected to a maximum height of 200 feet.
- C. **FAA Requirements:** Nothing in this Ordinance, including the exceptions listed above shall be interpreted as waiving any height regulations related to air travel. All applicable Federal Aviation Administration (FAA) restrictions and regulations shall apply to all structures.





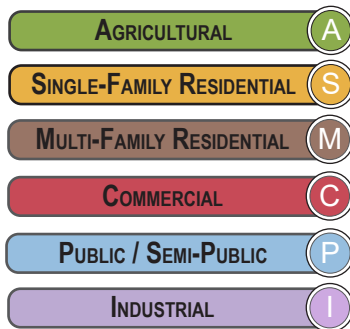
Intent:

The purpose of these environmental standards is to (1) encourage the protection of unique environmental features and (2) protect persons and property from the dangers presented by both the natural and built environments. Some of the following requirements refer to complimentary state or federal regulations, that are not enforced by the local government, in order to increase awareness of these regulations.

9.2 Environmental Standards

General Environmental Standards

These General Environmental Standards apply to all zoning districts:



- A. **Land Suitability:** No land should be used, or structure erected where the land is unsuitable for such use or structure due to slopes, adverse soil or rock formations, erosion susceptibility, or any other feature determined by the Planning Director or Plan Commission as likely to be harmful to the health, safety, and general welfare of the community.
- B. **Preservation of Natural Features:** Existing natural features that would add value to the development of the community, such as mature trees, streams, lakes, wetlands, stream-side forests (riparian areas), floodplains, and similar irreplaceable assets should be preserved through harmonious and careful design. Land to be developed shall be designed and improved as far as practical in conformity to existing topography in order to minimize storm water runoff, and conserve the natural cover and soil.
 - 1. **Wetlands:** Wetland areas shall be managed consistent with all applicable requirements of the U.S. Army Corps of Engineers, the Indiana Department of Environmental Management, and other appropriate agencies.
 - 2. **Stream-side Forests (Riparian Areas):** Stream-side forests should be managed consistent with requirements adopted by the Natural Resource Conservation Service for Riparian Forest Buffer and all subsequent amendments and revisions.
 - a. **Minimum Setbacks:** All structures and parking areas shall be set back a minimum of 25 feet from the top-of-bank of all streams.
 - b. **Native Vegetation Preservation:** On on-agricultural properties, all native vegetation within the required setback should be preserved.
 - c. **Construction Activity Prohibited:** All construction activity and land alteration shall be prohibited in the required setback area, with the following exceptions:

9.2 Environmental Standards (cont.)

General Environmental Standards

- i. stream-side forest restoration;
 - ii. drainage-way maintenance and erosion control;
 - iii. forest management;
 - iv. conservation activities;
 - v. raising of agricultural crops;
 - vi. public infrastructure such as roads, pedestrian paths, and drainage outlets; and
 - vii. regulated drain maintenance.
 3. **Floodplains:** Floodplains shall be managed consistent with the Flood Hazard Area Overlay Zone established by Chapter 4.5.
- C. **Conservation of Historic Features:** Existing historic features (such as those listed as outstanding, notable, or contributing in the Indiana Dept. of Natural Resources *Indiana Historic Sites and Structures Inventory - Bartholomew County Interim Report*, listed in the *National Register of Historic Places*, or listed in the *Indiana Register of Historic Sites and Structures*), and similar irreplaceable assets should be preserved through harmonious and careful design.
- D. **Ground Cover:** Any part or portion of a non-farm parcel that is not used for structures, loading or parking spaces, sidewalks, etc. shall be landscaped or left in a natural state that complies with all applicable weed and nuisance ordinances. If landscaped, it shall be planted with an all season ground cover and with trees and shrubs in accordance with the requirements of this Ordinance.
- E. **Drainage Swales:** Drainage swales within dedicated drainage easements are not to be altered, except for maintenance as originally constructed and approved by the appropriate City and/or County Engineer of jurisdiction. Driveways may be constructed over these swales subject to the approval of the appropriate City and/or County Engineer of jurisdiction and/or Indiana Department of Transportation (INDOT approval is required for driveways accessing state highways).
- F. **Regulated Drains:** All development in regulated drain areas shall be subject to the review and approval of the Bartholomew County Drainage Board per the requirements of IC 33-9-27. No permanent structures, shall be erected within 75 feet of the center line of any regulated tile ditch, or within 75 feet of the existing top of bank of any regulated open ditch unless approved by the Bartholomew County Drainage Board.
- G. **Alterations to Bodies of Water:** No alteration of the shoreline or bed of a river, wetland, or public lake shall be made until appropriate written approval is obtained from the Indiana Department of Environmental Management, Indiana Department of Natural Resources and/or the U.S. Army Corp. of Engineers. Alterations include, among other things, filling of a pond, river or wetland.





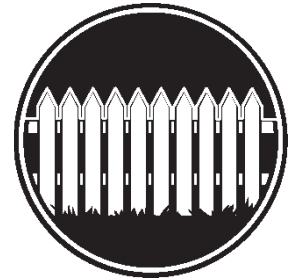
9.2 Environmental Standards (cont.)

General Environmental Standards

- K. **Retention, Detention, and Pond Edges:** All retention, detention, and pond edges shall be consistent with the following:
1. the top of bank shall provide 2 feet of free-board protection above the 100-year flood elevation for the area in which any pond is located;
 2. safety shelves shall be included in the design and construction of all ponds; and
 3. all applicable requirements of the appropriate City and/or County Engineer of jurisdiction shall be met.

Intent:

The intent of the fence, hedge, and wall standards is to ensure public safety by maintaining sufficient visibility within front yards and other areas where vehicles or pedestrians may frequent. The requirements are also intended to provide a degree of uniformity of regulation, provide adequate protection for individual properties from certain nuisances, and promote the public welfare.



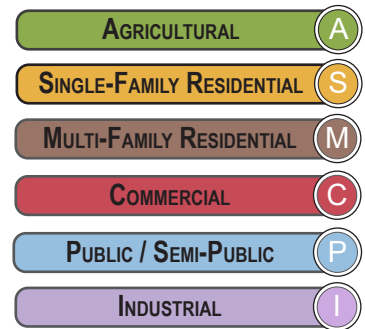
9.3 Fence & Wall Standards

General Fence & Wall Standards

These General Fence & Wall Standards apply to all zoning districts.

- A. **Exemptions:** Fences used in the following circumstances shall be exempt from the requirements of this Chapter:
 - 1. Correctional Facilities: Fences and other barriers used at correctional facilities.
 - 2. Swimming Pools: Swimming pool fencing shall conform to the regulations of the State of Indiana and the City of Columbus Municipal Code or the Bartholomew County Code of Ordinances, as applicable.
 - 3. Retaining Walls: Retaining walls shall conform to the regulations of the City of Columbus Municipal Code or the Bartholomew County Code of Ordinances, as applicable.
 - 4. Telecommunications Facility Sites: Fencing for telecommunications facility sites shall comply with the requirements of Section 6.8(G) of this Ordinance.
 - 5. Highway Barrier Walls: Highway barrier walls erected and/or approved by the Indiana Department of Transportation shall comply with any applicable INDOT specifications.
 - 6. Outdoor Storage, Display and/or Sales Areas: Fences required for the screening of areas of outdoor storage, display, and/or sales shall comply with the provisions of Section 6.1(C)(3) of this Ordinance.
 - 7. Fences Setback from Property Lines: Fences that are setback from property lines, provided that such fences comply with all regulations established by this Ordinance for accessory structures in the applicable zoning district.

- B. **General Restrictions:** The following general restrictions apply to all fences and wall as specified below:
 - 1. Rights of Way: No fence or wall shall be constructed in or allowed to encroach upon any public right-of-way.
 - 2. Easements: No fence or wall shall cross a public or private easement without the permission of the easement holder.

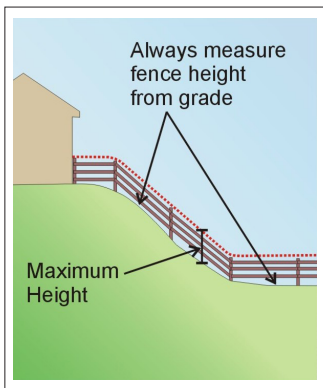


See Also:

Article 8,
Landscaping Standards



Fence Height Measurement Example (Figure 9.1)



9.3 Fence & Wall Standards (cont.)

General Fence & Wall Standards

3. **Required Buffer Yards:** Fences or walls shall not be located in any required buffer yard, unless specifically required or permitted in Chapter 8.2 of this Ordinance.
 4. **Intersection Visibility:** No fence or wall shall be erected or maintained within the intersection visibility triangle as required by Section 7.3 (Part 1)(D)(5) of this Ordinance.
 5. **Prohibited Elements:** Chicken wire, concertina wire, or razor wire, razored edges, broken glass, affixed spikes, projecting nails or other pointed instruments of any kind are prohibited unless expressly permitted by this Chapter. Decorative spikes that are a part of an ornamental fence shall be permitted.
 6. **Structural Orientation:** Fences shall be erected with the structural side, including all structural members, braces, bolts, etc., facing the interior of the property that the fence encloses.
- C. **Residential Use Restrictions:** The following restrictions shall apply to all residential uses:
1. **Prohibited Fence Types:** Chain link and similar woven metal fences shall not be permitted in the front yard of any residential use. All electrified and barbed wire fences are prohibited on all residential properties, except those located in a Agricultural zoning district.
 2. **Height Limits:** No fence or wall shall exceed a height of 8 feet in any side or rear yard or 42 inches in any front yard. When applying this subsection to through lots (which technically have 2 front yards), the front yard on to which the primary structure faces shall be considered the front yard, and the other front yard shall be considered a rear yard. Corner lots shall be considered as having 2 front yards, consistent with the other provisions of this ordinance.
- D. **Non-residential / Non-agricultural Use Restrictions:** The following restrictions shall apply to all non-residential / non-agricultural uses:
1. **Prohibited Fence Types:** All electrified and stockade fences are prohibited. Barbed wire fences are permitted for the purposes of security.
 2. **Height and Location Limits:** No fence or wall shall exceed a height of 8 feet in any side or rear yard or 42 inches in any front yard. In the case of properties with multiple front yards, this restriction shall apply only to the front yard providing the primary access to the property.
- E. **Height Measurement:** Fences and walls shall be measured from the surrounding grade, including the base of any berms, to the top of the fence. A fence post may extend 6 inches beyond the top of the fence.

Intent:

The intent of this Chapter is to recognize that exterior lighting is needed for safety, security and visibility for pedestrians and motorists, yet ensure that lighting does not disrupt adjacent land uses. This Chapter provides requirements to maintain safe nighttime driver performance on public roadways and reduce light trespass onto adjacent properties.



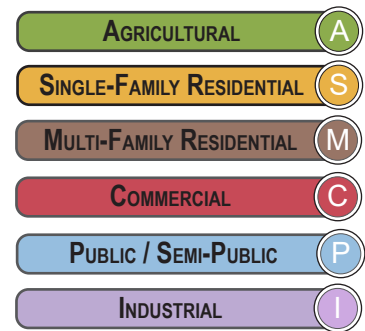
9.4 Exterior Lighting Standards

General Exterior Lighting Standards

The following General Exterior Lighting Standards apply to all zoning districts.

- A. **Lighting Measurement Criteria:** This Chapter regulates exterior lighting through a combination of fixture requirements and light quantity calculations. A level of illumination not to exceed 0.1 footcandles is hereby established as a consistent maximum in instances where exterior lighting at property lines is to be regulated. The Planning Director may accept either (1) a photometric site plan; (2) light fixture specifications showing shielded, directed, and 90 degree cut-off fixtures; or (3) a combination of both in determining compliance with these exterior lighting requirements related to property lines. *w*

- B. **Applicability & Exemptions:** All exterior lighting shall comply with the requirements of this Chapter, subject to the following exemptions:
 - 1. Lighting for all agricultural and single and two-family residential uses, provided that the level of illumination at any property line adjoining an agricultural use shall not exceed 0.1 footcandles.
 - 2. Pedestrian walkway lighting.
 - 2. Soffit lighting, provided that the light source is recessed or flush with the soffit surface.
 - 3. Emergency lighting, provided that the lights are designed to operate only under emergency or loss of power situations.
 - 4. Holiday decorations.
 - 5. Window displays.
 - 6. Lighting for temporary events, such as fairs, carnivals and similar temporary outdoor uses.
 - 7. Ornamental lighting that is incorporated into an architectural design, such as colored tubes, lighting of fountains, statuary or other outdoor art and other building elements (other than signs), provided that the light source is shielded to direct light onto the lighted element.





9.4 Exterior Lighting Standards (cont.)

General Exterior Lighting Standards

- C. **Prohibited Lighting:** The following lighting types and methods are prohibited:
1. **High Intensity Lights:** Laser light sources, search lights or any similar high intensity light for outdoor advertisement or entertainment, except for beacons as permitted by Article 10.
 2. **Hazardous Lights:** Any lighting where it is determined by the Board of Public Works and Safety or Board of County Commissioners, as appropriate, that the light source is creating off-site glare and is a hazard to travelers on an adjacent street or road.
 3. **Exposed Bulb Lights:** The use of any exposed bulbs, visible from any property line unless exempt under Section 9.4(B) (7), above, or is part of a sign that meets the requirements of Article 10.
 4. **Flashing and Moving Lights:** Lighting that is of a flashing, moving or intermittent type, excluding those associated with signs meeting the requirements of Article 10 of this Ordinance.
 5. **Traffic Control or Emergency Lights:** Lighting that appears similar to that used for traffic control devices or for emergency vehicles.
- D. **Sign Illumination and Brightness:** Signs may be illuminated either internally or externally, or provide electronic changeable copy subject to the provisions of Article 10 of this Ordinance and the following provisions:
1. **External Illumination:** The source of any external illumination shall be located, aimed, and shielded so that light is directed onto the sign face. No exposed bulb or lamp shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public right-of-way or adjacent property.
 2. **Internally Illuminated and Electronic Sign Brightness:** Internally Illuminated and Electronic signs shall meet the following requirements:
 - a. **Maximum Brightness:** Maximum brightness shall be limited to 10,000 nits during daylight hours (between sunrise and sunset daily). Maximum brightness from sunset to sunrise daily shall not exceed 250 nits. Signs with a capability of exceeding either of these limits shall be equipped with a light sensing device or programming that will automatically adjust brightness based on overall ambient lighting to comply with the above stated maximums.
 - b. **Residential Area Restrictions:** All electronic signs within 300 feet and visible from a residential property in a residential zoning district shall be turned off, and therefore emit no light, between the hours of 11 p.m. to 5:00 a.m. daily.
 - c. **Background Colors:** The use of electronic sign messages with white or similarly light colored backgrounds shall be prohibited.

9.4 Exterior Lighting Standards (cont.)

General Exterior Lighting Standards

- d. *CD Zoning District Prohibition:* The use of electronic signs in the CD (Commercial: Downtown) zoning district shall be prohibited.
 - e. *FCC Requirements:* All electronic signs shall meet all applicable requirements of the Federal Communications Commission (FCC), specifically with regard to potential interference with communications.
- E. **Property Illumination:** The exterior illumination of all properties shall be designed and installed so as to prevent glare from affecting adjacent streets and excessive light trespass from affecting adjacent properties. No exterior illumination originating from a non-residential zoning district at the property line of any property included in a single-family, two-family or multi-family residential zoning district exceed 0.1 foot-candles. The light levels within 10 feet horizontally from any driveway or other vehicle access point shall be exempt from the 0.1 foot-candle requirement. All properties shall also comply with the following requirements:
1. **Building Facade Illumination:** Building facades may be illuminated using either uplighting or downlighting, or a combination of both. All lighting fixtures shall be located, aimed, and shielded so that light is directed only onto the building facade. Light fixtures shall be designed to wash the facade of the building with light, rather than providing a spotlight or floodlight affect. Lighting shall not be directed toward adjacent streets, roads, or adjoining properties.
 2. **Free-Standing Light Fixtures & General Parking Area / Yard Lighting:** The provisions of this Section shall apply to all free-standing light fixtures, such as parking lot lighting, and all free-standing, building-mounted, and other fixtures intended to illuminate parking areas, yards, and other outdoor spaces. All such fixtures shall be limited to a maximum total height of 30 feet for industrial uses and 25 feet for all other uses. Each free-standing light fixture may be provided with a base of up to 36 inches in height, which will not be included in the total height measurement. All free-standing and general parking area/yard lighting shall make use of 90 degree cut-off fixtures with fully recessed lens covers.
 3. **Canopy Lighting:** Lighting under canopies used for gas stations, drive-up banking, and similar purposes shall make use of either (a) fully recessed fixtures with lens covers flush with the bottom surface (ceiling) of the canopy or (b) indirect lighting through which light is beamed upward and then reflected down from the underside of the canopy.

