

On any lot or parcel of land in industrial districts, no structure shall be erected or maintained within a minimum of a 100-foot setback distance beginning at the zone boundary line of any: 1) adjacent improved and unplatted parcel of any residential or conservation district; 2) adjacent unimproved and platted parcel of any residential or conservation district; or 3) any parcel of agricultural district currently being used in any manner listed under Section 4.2 A. Permitted Uses, EXCEPT "Agriculture" or Section 4.2 B. Special Exceptions Uses, EXCEPT "Agriculture."

On any lot or parcel of land in industrial districts, no structure shall be erected or maintained within a minimum of a 50-foot setback distance beginning at the zone boundary line of any adjacent unimproved and unplatted parcel of any residential or conservation district.

On any lot or parcel of land in industrial districts, no structure shall be erected or maintained within a minimum of a 25-foot setback distance beginning at the zone boundary line of any adjacent unimproved and unplatted parcel of any agricultural district.

Chapter 12

"Improved." A parcel of property is improved if it contains any of the following:

1. Any permanent structure designed for any use permitted by section 4.2 A or any special exception use listed in section 4.2 B;
2. Any utilities, intentionally installed and/or paid for by the owner of the subject property for purposes of use and/or future development.

Pg. 30 3.3.E.1. Insert the word "including" before the word expansion. Last sentence change ten percent (10%) to twenty percent (20%)

Pg. 30 3.3.E.1.c Change the ten (10%) to twenty (20%) and add the word "cumulative" after the word area.

Pg. 31 3.3.E.2. Change the paragraph to read: Minor Additions to Non-Single-Family Uses. In all cases, a legal nonconforming site or structure shall be brought into compliance with current development standards to the extent required by this Subsection.

Pg. 32 3.4.A.3. Insert the word "including" before the word expansion. Last sentence change ten percent (10%) to twenty percent (20%)

Pg. 32 3.4.A.3.b. Change the ten (10%) to twenty (20%) and add the word "cumulative" after the word area.

Pg. 33 3.4.B. Change the paragraph to read: Minor Additions to Non-Single-Family Uses. In all cases, a legal nonconforming site or structure shall be brought into compliance with current development standards to the extent required by this Subsection.

Pg. 42 4.4.A Move Crop Production to Permitted Use

Pg. 43 4.4.C. Change Minimum Ground Floor Living Area per unit to 1200 s. f.

Update graphic to reflect this change.

Pg. 44 4.5.B. Remove "dwelling, accessory apartment ("granny flat") under Special Exception

Pg. 45 4.5.C. Change Minimum Ground Floor Living Area per unit to 1200 s.f.

Update graphic to reflect this change.

Pg. 45 Graphic rear setback accessory structure dimension line in the wrong location.

Pg. 47 4.6.C. Change Minimum Ground Floor Living Area per unit to 1000 s.f.

Update graphic to reflect this change

Pg. 51 4.8.C. Remove wording "Minimum Ground Flood (should be Floor) Living Area"

Pg. 57 4.11. Change header to Central instead of Commercial

Pg. 58 4.12.A (B3) Add Hotel/Motel under Personal Services

Pg. 73 Add Hotel/Motel as a Permitted Use under B3

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Pg. 76 New language for paragraph 4.17.D.9.

On any lot or parcel of land in industrial districts, no structure shall be erected or maintained within a minimum of a 100-foot setback distance beginning at the zone boundary line of any adjacent improved, unplatted or unimproved platted parcel of any residential, conservation or agricultural district.

On any lot or parcel of land in industrial districts, no structure shall be erected or maintained within a minimum of a 50-foot setback distance beginning at the zone boundary line of any adjacent unplatted and unimproved parcel of any residential, conservation or agricultural district.

The above two paragraphs were replaced with new language on November 9, 2016. The below two paragraphs remain as written below.

One any lot or parcel of land in business and commercial districts, B-1 and B-3, which lies adjacent to any residential, conservation or agricultural district, no structure shall be erected or maintained within a minimum side yard as follows: 48 feet of the boundary line of any improved, unplatted or unimproved platted parcel of any R-R or R-1, CP or A District; within 36 feet of any R-2 district or within 24 feet of any R-3 district. Rear setbacks shall be a minimum of 25 feet.

Landscape buffer requirements shall apply to these setback distances per Section 7.6.

Pg. 78 Update the chart to reflect changes:

Min. Lot. Area for R.R. with septic to 66,000 s.f. and changes to Min. Ground Floor Living Area under RR, R1, R2 and R4.

Pg. 90 6.1.G.1. Remove this use-Farm Equipment Sales & Services

Pg. 125 Table 7.2 Hospital, in-patient or out-patient Change to 3 spaces per bed

Pg. 126 Table 7.2 Medical care clinic, immediate/urgent; medical clinic and medical office to 1 space per 275 sq. ft. GFA

Pg. 128 Table 7.2 Outpatient care facility to 1 space per 275 sq. ft. GFA

Pg. 133 7.5.E.7.e Change sixteen (16) to twenty-five (25)

Pg. 134 7.5.F.8. Change word "required" to "recommended."

Pg. 134 7.6.B.3 Delete first sentence. "There shall be no maneuvering within any street right-of-way."

Pg. 135 7.6.H Language update

H. SCREENING STANDARDS. Vehicle loading areas shall be screened from adjacent residential districts or uses with a twenty-five (25) foot buffer area that is inclusive of the setback distances as required per Section 4.17.D. Within the required setback, the buffer area shall consist of a six (6) foot high landscaped earthen berm planted with eight (8) trees and fifteen (15) shrubs per one hundred (100)

linear feet of buffer or a six (6) foot tall opaque fence. A minimum of fifty percent (50%) of the buffer area plants shall be evergreen.

Pg. 138 7.8.H.2. Parking Lot Interior Landscaping. Add a new first sentence. Keep all others. Parking areas (including loading, unloading and storage areas) containing more than twenty-five (25) vehicular parking spaces, shall provide interior landscaping.

Also this section:

Pg. 138 7.8.H.2. and 7.8.H.3. Last sentence. Replace wording "office uses are present" with "the primary use is office."

Pg. 138 7.8.H.2.c. Add sentence. No more than 15 parking spaces shall be permitted in a continuous row.

Pg. 139 7.8.K.2. Add "solid PVC/vinyl" after the word "brick" and before the word "or".

Pg. 139 7.8.I.1.a. Change the wording "may be required" to "recommended"

Pg. 140 7.8.K. 3 & 5 Language update

Add under 1. The Commission may waive the requirement for a wall, fence or greenbelt if equivalent screening is provided by existing or planned parks, parkways, and recreation areas or by topography or other natural conditions.

3. Outdoor Storage Screening. All nonresidential manufacturing, assembling, construction, repairing, maintenance, and storage which takes place outdoors adjacent to a residential zoning district shall require a landscape buffer 25 feet wide comprised of a six (6) foot high landscaped earthen berm planted with eight (8) trees and fifteen (15) shrubs per one hundred (100) linear feet of buffer or a six (6) foot tall opaque fence. A minimum of fifty percent (50%) of the buffer area plants shall be evergreen.

5. Loading Area Buffer yards. Vehicle loading areas shall be screened from adjacent residential districts or uses with a 25-foot buffer area that is inclusive of the setback distances as required per Section 4.17.D. Within the required setback, the buffer area shall consist of a six (6) foot high landscaped earthen berm planted with eight (8) trees and fifteen (15) shrubs per one hundred (100) linear feet of buffer or a six (6) foot tall opaque fence. A minimum of fifty percent (50%) of the buffer area plants shall be evergreen.

Pg. 147 7.13.A.2 Remove reference to a paragraph 6 so it reads 7.5.B.

Pg. 147 7.13.A.3.d Correct reference to Subsection 7.4. Remove C and 5 so it reads 7.4.A.

Pg. 158 7.18.A.1.c Pluralize the word "design" (second design in paragraph)

Pg. 158 7.18.A. Add the word "gross" before the word "assessed"

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Pg. 160 7.18.B.4.e. Insert the words "at property lines" after the word "connect."

Pg. 161 Remove paragraph 7.18.C.3.f.

Pg. 165 7.21.B.3. Change the number of 1000 cy to 2,500 cy.

Pg. 165 Delete paragraph "f".

Pg. 185 9.5.D Second sentence remove the following "approved by the Administrator" "and Board of Public Works and Safety" so it reads, "A final subdivision plat shall be review by the Technical Assistance Committee and the Administrator, and if approved, signed by the President and Secretary of the Commission."

Pg. 196 9.8.A.9. Add a paragraph g. Maximum distance between intersections shall be 1000 ft.

Pg. 201 9.12.C. Add "and shall not exceed 1000 feet." to the end of the second sentence.

Pg. 227 11.3.A. After the word "violation" remove the word "to" and add a comma and the word "including".

Pg. 227 11.3 Remove paragraph B and D.

Pg.227 11.3.C. Remove references to "warning ticket" throughout entire paragraph.

Pg. 230 11.6.B.1. Remove words "other non-public" and change right-of-way to rights-of-way.

Pg. 232 11.8.A. Update the paragraph to read: Applicability. Any person who commits a civil zoning violation may be issued a citation by the Administrator.

Pg. 232 11.8.B. End sentence after "below." Remove wording "provided a warning ticket has first been issued pursuant to Section 11. 3 Citation for Civil Zoning Violation."

Recommended Revisions to the Proposed Unified Development Ordinance

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Oct. 5, 2016

Public Hearing

October 5, 2016

Chapter 4.5.C. Pg. 43 Change lot size on an R-R with septic to match A-1 zoning size minimum of 66,000 sq. ft.

Chapter 4.17.D.4. Pg. 76 Change in language to reflect definition of height in definitions Chapter 12. To read as follows: Maximum Building Height. The maximum allowable vertical distance of a building or structure. "Height" means the measurement of a Structure from average adjacent grade level to the highest point of the Structure, excluding the necessary appurtenances such as chimneys, cupolas church spires, steeples, clock or bell towers, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, transmission towers, or essential mechanical equipment not prohibited by provisions of this Ordinance or other Laws.

Chapter 6.1.K.3.d. Pg. 93 Add the following: Invasive species shall not be used for required planning material. Refer to the Indiana Department of Natural Resources list of invasive species.

Chapter 7.8.I.1.b Pg. 139 Correct a reference to say 7.8(F). Remove "(3).

Chapter 7.18.B.3 Pg. 159 Correct open space from 10% to 6% to match Chap. 4

Chapter 7.18.C9.c.1 Pg. 162 Remove the word "masonry" from paragraph

Chapter 9.5.D.1.d.1 and 9.5.D.1.d.5.iv Pg. 186 Change "bearing to half minutes" to "degrees-minutes-seconds"

Chapter 12 Definition of height. Pg. 248 Add the word "average" after the word "from" and before the word "adjacent." Add the word "cupolas," after the word "chimneys" and before the word "church."

1. Chapter 12, the definition of "group home" shall be changed to state: "see definition for Residential Facility for Individuals with Developmental Disabilities."
2. Chapter 4:
 - a. The Table 4.2 "Use Matrix" the term "group home" shall be eliminated from Residential uses and shall be replaced with Residential Facility for Individuals with Developmental Disabilities ("RFIDD"); this shall be changed to a permitted use in each of the zones in which any residential use is permitted.
 - b. Section 4.2 Agricultural General, Subsection B, "group home" shall be eliminated and Residential Facility for Individuals with Developmental Disabilities shall be inserted in Section Subsection A, Permitted Uses.
 - c. Section 4.4 Rural Residential, Subsection B, "group home" shall be eliminated and Residential Facility for Individuals with Developmental Disabilities shall be inserted in Section Subsection A, Permitted Uses.
 - d. Section 4.5 Low Density Residential, Subsection B, "group home" shall be eliminated and Residential Facility for Individuals with Developmental Disabilities shall be inserted in Section Subsection A, Permitted Uses.
 - e. Section 4.6 Single Family Residential (R2), Subsection B, "group home" shall be eliminated and Residential Facility for Individuals with Developmental Disabilities shall be inserted in Section Subsection A, Permitted Uses.
 - f. Section 4.7 Medium Density Residential (R3), Subsection B, "group home" shall be eliminated and Residential Facility for Individuals with Developmental Disabilities shall be inserted in Section Subsection A, Permitted Uses.
 - g. Section 4.8 Higher Density Residential (R4), Subsection B, "group home" shall be eliminated and Residential Facility for Individuals with Developmental Disabilities shall be inserted in Section Subsection A, Permitted Uses.
 - h. Section 4.11 Central Business (B2), Subsection B, "group home" shall be eliminated.
3. Chapter 7, Section 7.23 shall be added as follows:

Section 7.23 Residential Facility for Individuals with Developmental Disabilities Standards

 - A. Specific Purpose. The purposes of these standards are to provide dimensional standards for group residential homes for individuals with developmental disabilities ("RFIDD"). No part of this division is intended to limit any right of any person or result in limitations that may limit a persons' equal opportunity to use and enjoy a dwelling or impose undue administrative or financial burdens or require a fundamental alteration in the nature of housing within the City of Jasper. Tenancy at any RFIDD shall meet the same requirement of any dwelling in Jasper, including an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
 - B. Development Standards. A RFIDD shall meet the following standards.
 1. RFIDD shall be permitted in any zoning district that permits residential uses.
 2. RFIDD shall meet the same standards as other residential use within the district in which they are located.
 3. RFIDD shall not be excluded in any residential zone district, except such home shall not be located within 3,000 feet of another residential facility for the developmentally disabled.
 - C. Limitations. There shall be 3,000 feet distance between residential facilities for the mentally ill as measured between lot lines.

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AMENDMENT TO
UNIFIED DEVELOPMENT ORDINANCE

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4. Chapter 9, Section 9.4 Minor Subdivisions, Subsection D Secondary Approval. Minor Subdivisions shall be amended as follows:
 1. General. After all conditions of primary approval have been met, the applicant may request secondary approval. A final subdivision plat shall be reviewed by the Administrator, and if approved, signed by the Administrator. The final subdivision plat shall be filed by the petitioner with the Dubois County Recorder.