

IV.V.1. Interstate 65 South Corridor Overlay District

A. Purpose, Intent and Authority.

The purpose of the Interstate 65 South Corridor Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering Interstate 65, Boone County, Indiana, from the City of Lebanon south to the County border. The Area Plan Commission (APC), in establishing this District, are relying on IC 36-7-4-600 *et seq.* and IC 36-7-4-1400 *et seq.* This zoning district is, likewise, intended to serve as a tool for implementing the development policies and guidelines set for the Corridor in the Comprehensive Plan. Interstate 65 is a limited access interstate highway and an important business corridor to Boone County. The I-65 South Corridor is a premier office and industrial business location and employment center whose viability, quality, and character are important to the community as a whole, adjacent residents, employees, business owners, and taxing districts. Therefore, it is the further purpose of the I-65 South Overlay District to preserve the aesthetic qualities of those bordering properties through:

- (1) the promotion of coordinated development in the I-65 South Overlay District;
- (2) the establishment of high standards for buildings, landscaping, and other improvements constructed on the properties within the I-65 South Overlay District which permit innovative site designs and at the same time encourage efficient land usage; and
- (3) the establishment of development requirements which will encourage substantial capital investments for the development of those properties and promote the quality, scale, and character of development consistent with the Corridor's existing and planned uses. This Ordinance further seeks to foster development that will provide this district with a special sense of place that will increase property values, protect real estate investment, spur commercial activity, and attract new businesses. More specifically, the creation of this special sense of place shall be encouraged by means of a coordinated set of design principles for buildings, site planning, landscaping and signage. These principles are intended to guide individual development activities so that they will work together visually in support of the common architectural theme described below.

B. District Boundaries (see Attachment A: Overlay Map):

The boundaries of the I-65 South Overlay District are hereby established as follows:

1. Beginning at the Boone County/Marion County border, six hundred (600) feet east of the Interstate 65 right-of-way, proceeding northwest, parallel with Interstate 65 at a distance of six hundred (600) feet from the Interstate 65 right-of-way, to a point measuring six hundred (600) feet from the right-of-way of State Road 334, proceeding east, parallel with State Road 334 at a distance of six hundred (600) feet to the State Road 334 right-of way, to a point measuring two thousand six hundred forty (2640) feet from the Interstate 65 right-of-way, extending north, across State Road 334 to a point measuring six hundred (600) feet north of the State Road 334 right of way, proceeding west, parallel to State Road 334 at a distance of six hundred (600) feet to the State Road 334 right-of way, to a point measuring six hundred (600) feet from the Interstate 65 right-of-way, proceeding northwest parallel to Interstate 65 at a distance of six hundred (600) feet from the Interstate 65 right-of-way, to a point measuring six hundred (600) feet from the right-of-way of CR 400 S., proceeding east, parallel with CR 400 S. at a distance of six hundred (600) feet from the CR 400 S. right-of-way, to a point measuring two thousand six hundred forty (2640) feet from the Interstate 65 right-of-way, extending north, across CR 400 S. to a point measuring six hundred (600) feet north of the CR 400 S. right of way, proceeding west, parallel to CR 400 S. at a distance of six hundred (600) feet to the CR 400 S. right-of way, to a point measuring six hundred (600) feet from the CR 400 E. right-of-way, proceeding north, parallel with CR 400 E. at a distance of six hundred (600) feet to the CR 400 E. right-of way, to a point measuring two thousand six hundred forty (2640) feet from the Interstate 65 right-of-way, extending west across CR 400 E. to a point measuring six hundred (600) feet west of the CR 400 E. right-of-way, proceeding south, parallel with CR 400 E. at a distance of six hundred (600) feet to the CR 400 E. right-of way, to a point measuring six hundred (600) feet from the Interstate 65 right-of-way, proceeding

northwest, parallel to Interstate 65 at a distance of six hundred (600) feet from the Interstate 65 right-of-way to the corporate limits of the City of Lebanon.

2. Beginning at the Boone County/Marion County border, six hundred (600) feet west of the Interstate 65 right-of-way, proceeding northwest, parallel with Interstate 65 at either a) a distance of six hundred (600) feet from the Interstate 65 right-of-way or b) the center line of Indianapolis Road, whichever is the greater distance from the Interstate 65 right-of-way, to a point measuring six hundred (600) feet from the CR 650 S. right-of-way, proceeding west, parallel with CR 650 S. at a distance of six hundred (600) feet to a point measuring two thousand six hundred forty (2640) feet from the Interstate 65 right-of-way, extending north across CR 650 S. to a point measuring six hundred (600) feet north of the CR 650 S. right-of-way, proceeding east, parallel to CR 650 S. at a distance of six-hundred (600) feet, to the center line of Indianapolis Road, proceeding northwest, along the center line of Indianapolis Road, to a point measuring six hundred (600) feet from the State Road 267 right-of-way, proceeding south, parallel with State Road 267 at a distance of six hundred (600) feet from the State Road 267 right-of-way, extending west across State Road 267 to a point measuring six hundred (600) feet west of the State Road 267 right-of-way, proceeding north, parallel to State Road 267 at a distance of six hundred (600) feet, to the center line of Indianapolis Road, proceeding northwest, parallel with Interstate 65 at either a) a distance of six hundred (600) feet from the Interstate 65 right-of-way or b) the center line of Indianapolis Road, whichever is the greater distance from the Interstate 65 right-of-way, to the corporate limits of the City of Lebanon.

C. APC Approval

Except as hereafter provided, the APC must approve, approve with conditions, or disapprove the Development Plan for any commercial (office or retail) or industrial use of any tract of land in the Overlay District, per the provisions of Section VI of this Ordinance. A public hearing shall be held by the APC before it decides whether to approve or disapprove a Development Plan. However, no Development Plan is required for, and the provisions of section IV.V.1 of the Ordinance (except Sections D, E and F) shall not be applicable to:

1. Additions to existing structures which:
 - a. Are attached to the existing structure;
 - b. Continue the architectural design of the existing structure, including exterior color and materials; doors and windows, other detailing;
 - c. Meet with requirements of the underlying primary zoning district;
 - d. Do not exceed thirty percent (30%) of the original gross floor area of the existing structure, applicable from the effective date of this ordinance, and,
 - e. Have received a prior Development Plan approval from the APC.
2. Buildings or structures to be constructed on lots that are part of a commercial or industrial subdivision receiving primary plat approval by the APC prior to the effective date of this Section IV.V.1.

D. Permitted Uses:

All uses which are permitted in the underlying primary zoning district(s), except the uses expressly excluded by *Section F* of this ordinance, are permitted in the I-65 South Overlay District.

E. Permitted Special Uses:

All Special Uses which are permitted (upon obtaining a special use approval from the Board) in the underlying primary zoning district(s), except the uses expressly excluded in *Section F* of this ordinance, are permitted in the Overlay District..

F. Excluded Uses:

The following uses will not be permitted in the I-65 South Overlay District:

- Confined Feeding
- Junk Yard
- Manufacturing, Use, or Storage of Explosives

- Slaughter House
- Sanitary Landfill
- Restricted Waste Site
- Adult Entertainment Business
- Any other uses excluded by the underlying primary zoning district

G. Accessory Buildings and Uses:

All Accessory Buildings and uses which are permitted in the underlying primary zoning district(s) shall be permitted, except that any attached or detached Accessory Building in any Development Plan shall have on all sides the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the Principal Building(s) with which it is associated.

H. Minimum Tract Size.

The minimum tract size allowed within the Overlay District is 130,680 square feet (3 acres). A parcel that is less than three acres will be allowed only if it is part of a Development Plan that includes land totaling more than three acres. For tracts located only partially within the Overlay District, a Development Plan shall be submitted to the APC for the entire tract to be developed. If a parcel of land or subdivision lot was recorded prior to the effective date of this overlay, and said parcel or lot does not contain the minimum area required by this Paragraph, said parcel or lot (“Undersized Lot”) may be used for any use permitted in the Overlay District provided that all other development requirements applicable to the Overlay District can be met. This Paragraph does not preclude the sale or other transfer of any parcel of land within a tract after the approval of a Development Plan for the entire tract. However, the development of the parcel must still conform to the Development Plan for the entire tract as approved or amended by the APC, and all other applicable requirements contained in the Zoning Ordinance.

I. Height and Yard Requirements.

The purpose of this Section is to provide site design requirements that align buildings along the edges of a parcel, towards the public right-of-way of the Interstate 65 South Corridor. It is the intent of these regulations to orient new office and retail buildings with their longest axis parallel to the adjoining highway or street to create a sense of enclosure along the streets, with parking located to the rear, and, if necessary, to the side of a building.

1. Building Height:

a. Minimum: The height of new principal buildings shall be at least one and one-half (1½) stories, or be designed to appear so from the front and sides. Retail and office buildings are encouraged to be two (2) stories or more in height, with office or residential uses on the second floor. The minimum height for all buildings shall be twenty (20) feet, either at the roofline or at the top of the parapet wall.

b. Maximum: As specified in primary underlying zoning district.

2. Front Yard: As specified in the development standards of the underlying primary zoning district in which the site is located.

3. Minimum Side and Rear Yards: As specified in the development standards of the underlying primary zoning district in which the site is located.

4. Minimum Gross Floor Area:

All principal commercial buildings shall have a minimum of two thousand five hundred (2,500) square feet of gross floor area, excluding the floor area of any basement or any accessory buildings. Accessory buildings need not meet the minimum floor area requirement.

5. Primary Structure Orientation:

The façades of all primary structures located within the I-65 South Overlay District and facing and parallel to Interstate 65 or Indianapolis Road, or any other primary thoroughfare identified by the Boone County Comprehensive Plan, shall contain at least one (1) main building entrance of the type described in Section J.4 below. Unless otherwise approved by the APC, loading docks shall not be located on a façade facing and parallel to Interstate 65 or Indianapolis Road, or any other primary thoroughfare identified by the Boone County Comprehensive Plan.

J. Architectural Design Requirements.

A required Development Plan shall depict the architectural design of building(s) to be constructed in the development subject thereto. In reviewing such architectural design, the APC shall consider the following factors:

1. **Building Design:**

Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings. New buildings are not required to be imitative, but must incorporate the desired salient features. Pre-existing buildings on adjoining tracts shall not be a factor in the design of new buildings unless they are consistent with the architectural objectives of the Overlay District.
2. **Building Façades:**

To avoid long, monotonous, uninterrupted walls or roof planes, building façades ninety (90) feet or greater in width shall incorporate changes in pattern, texture or color. Façades constructed of more than one material shall only change material along a horizontal or vertical line (not a diagonal line). In the case of a change along a horizontal line, the heavier material shall always be placed beneath the lighter material. Front and side façades of buildings located on corner lots or parcels shall be of the same materials and similarly detailed.
3. **Roofs:**

Flat roofs shall be edged by a railing or parapet and rooftop mechanical equipment shall either be camouflaged on all sides or visually integrated into the overall design of the building. In no case shall rooftop mechanical equipment be visible from adjoining residential zones or uses.
4. **Entrances:**

Building entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the architectural style and details of the building as a whole. The location, orientation, proportion and style of doors must faithfully reflect the chosen style of the building. Building façades for industrial and warehouse uses shall be designed with a main entrance and at least two (2) window openings associated with this doorway.
5. **Windows:**

All window design shall be compatible with the style, materials, color, details and proportion of the building. The number of panes, the way it opens, the trim around it and whether it is embellished with shutters must be consistent with the architectural style of the structure.
6. **Awnings:**

Fixed or retractable awnings are permitted if they complement a building's architectural style, material, colors, and details; do not conceal architectural features (such as cornices, columns, pilasters, or decorative details); do not impair façade composition; and are designed as an integral part of the façade.
7. **Additional Requirements for Retail and Commercial Buildings:** The following additional requirements shall be applicable to any buildings in the I-65 South Overlay District having office and retail as the principal use:
 - a. **Storefronts:** Storefronts shall be integrally designed with overall facade character. Ground floor retail, service and restaurant uses should generally have large pane display windows, however, they shall not exceed seventy-five percent (75%) of the total ground level (first floor) facade area. Buildings with multiple storefronts shall be of unified design, through the use of common materials, architectural details, signage and lighting consistent with the overall building style.
 - b. **Drive-thru windows:** Drive-thru windows shall be designed as a related, integrated architectural element and part of the overall design composition of the building. Stacking for drive-thru lanes shall be confined to the side or rear of the tract or parcel with outlet from such lines also being to the rear of the building. Lines for drive-thru facilities shall not be permitted along the front and sides of structures within the Overlay District, nor permitted to spill onto adjoining properties.
 - c. **Roofs:** Except as hereinafter provided, roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 4:12 to 14:12. Shed roofs are permitted only when the ridge is attached to an exterior wall of a building,

and shall conform to pitch between 14:12 and 4:12. Flat roofs are permitted when consistent with the style of architecture, and if they meet the requirements of Section J.3 above. Pitched roofs shall be clad in wood shingles, slate, composition asphalt shingle or standing-seam metal panels. Asphalt shingles shall be colored to resemble gray slate; standing-seam panels may be either gray, black, dark blue, dark green or barn red. Dormers if appropriate to the style shall be designed with the correct details, proportion and style consistent with the overall building composition, and roofed with symmetrical gable, hip or barrel roofs. Belvederes, cupolas, and pergolas are permitted if appropriate to the style, well proportioned, and fully detailed. All vents, attic ventilators, turbines, flues and others roof penetrations must be painted to match the color of the roof or flat black, except those made of metal which may be left natural. Gutters and downspouts shall be appropriate to or visually integrated with the architectural style of the structure.

8. Suitability of exterior building materials:

Unless otherwise approved by the APC, exterior building materials shall be as follows:

a. Exposed foundation shall be constructed of one or more of the following:

1. Red brick;
2. Stone (limestone, granite, fieldstone, etc.);
3. Split-face block or architectural pre-cast concrete, if surface looks like brick or stone.

b. Façade walls of buildings (other than industrial buildings and warehouse facilities, including self-storage and mini-warehouse uses) shall be constructed of one or more of the following materials:

1. Red brick or stone;
2. Smooth cut cedar shingles;
3. Wood clapboard siding;
4. Wood beaded siding;
5. Stucco with smooth finish, or dryvit (or equivalent), not to exceed twenty percent (20%) of the overall non-window façade area;
6. Architectural metal panels;
7. Glass (up to 75% of the façade area); and
8. Ornamental metal.

c. Façade walls of industrial buildings and warehouse facilities, including self-storage and mini-warehouse uses, visible from Interstate 65 shall be constructed of one or more of:

1. Red brick façades trimmed with split-faced aggregate block (of a color and texture resembling Indiana limestone), provided that it also includes red brick accents (such as windowsills, lintels above windows and doorways, building corners, parapet coping, etc.).
2. Split-face aggregate block (of a color and texture resembling Indiana limestone) provided that it also incorporates red brick accents.
3. Pre-cast concrete wall panels of a color and texture resembling either red brick or Indiana limestone, provided the building design also incorporates architecturally appropriate details of contrasting color and material.
4. Architectural metal panels;
5. Glass (up to 75% of the façade area); and
6. Ornamental metal.

d. The use of accent and trim elements (accent panels, banding, cornices, canopies/awnings, etc.) is recommended to add visual interest and break down the scale of façades. Permitted building trim materials include: brick, clay, stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum and formed polymers.

9. Color: Colors used on building façades must be complementary. Natural, muted colors (earth tones or neutral colors) should serve as the primary façade color, with brighter colors used only as accents.

K. Landscaping Plan ; Required Screening.

1. Landscaping Plan. The applicant shall submit a Landscaping Plan as part of the Development Plan to the APC. This plan shall be drawn to scale, including dimensions and distances; shall delineate all existing and proposed structures, private parking areas, walks, ramps for the handicapped, terraces, driveways, signs, lighting standards, steps, storm water facilities and

other similar structures; and shall delineate the location, size and description of all landscape material and the method to be used for the watering or irrigation of all planting areas. Landscape treatment for plazas, roads, paths, service and private parking areas and storm water areas shall be designed as an integral and coordinated part of the Landscaping Plan for the entire site. The Landscaping Plan shall be consistent with the requirements of Section IV.Q of the Zoning Code.

2. Screening. All air conditioning units, HVAC systems, exhaust pipes or stacks, overhead doors, outside storage areas (where permitted by the underlying zoning district), trash collection areas, and satellite dishes shall be integrated into the overall building design or screened from view from Interstate 65 or adjoining residential zones or uses using (i) walls, fencing, parapets or screens architecturally compatible with the principal building(s) with which they are associated, (ii) landscaping or camouflage, or (iii) other approved method.
3. Landscaping Installation and Maintenance.
 - a. Installation. All landscaping approved as part of the Landscaping and/or Development Plan shall be installed prior to the issuance of a Certificate of Occupancy by the Department.
 - b. Maintenance. 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 Landscaping and Development Plans in accordance with the standards set by this Ordinance. This is to include, but is not limited to, replacing dead plantings with identical varieties or a suitable substitute, irrigation and mulching of planting areas, and keeping the area free of refuse, debris, rank vegetation and weeds.
 - c. Changes after Approval. No landscaping which has been approved by the APC may later be substantially altered, eliminated or sacrificed without first obtaining further APC approval. However, minor material alterations in landscaping may be approved by the Executive Director in order to conform to specific site conditions.
 - d. Inspection. The Executive Director, or authorized agent thereof, may visit any tract within the Overlay District to inspect the landscaping and check it against the approved plan on file.

L. Parking Requirements: see *Section IV.P* of the Zoning Ordinance.

M. Lighting Requirements.

1. Lighting Plan. A Lighting Plan, meeting the following standards, for the proposed development shall be filed as part of the Development Plan.
2. Design. All lighting standards, including those on buildings, security lights and architectural lights within the development area shall be of uniform design and materials. Parking lot and streetlights shall also be of uniform height not to exceed thirty (30) feet. Luminaries for such lights shall be in proportion to the pole diameter and height. All lights within gas station canopies and adjacent to residential areas shall be of a "down lighting" type with the light element completely shielded on all sides and top. The APC may approve decorative lighting should it be more appropriate to the overall site design.
3. Intensity. Lighting shall not cause illumination beyond any residential lot line or road right-of-way line in excess of 0.1 footcandle of light. Lighting shall not cause illumination beyond any non-residential tract or parcel line or road right-of-way line in excess of 0.3 footcandle of light.

N. Loading Berths.

Loading berths and trash collection areas shall be permitted per the needs of the business establishments and shall be identified on the Development Plan. Loading berths and overhead doors shall be encouraged to face to the rear of all buildings. Should a loading berth be located adjacent to or visible from a public right-of-way, it shall be screened per APC approval.

O. Emergency Access.

All emergency access areas and facilities shall be shown on the Site Plan and reviewed by the location appropriate Fire Chief (Center Township, Worth Township, Perry Township, Zionsville).

P. Access to Individual Lots.

The streets that are considered by their functional nature as primary thoroughfares, must have reasonable restrictions as to the number and location of access points within the Overlay Zone. Interstate 65 represents a total barrier to east-west streets. Therefore, in order to provide safe and efficient traffic movement to and from adjacent lands and to protect the functional integrity of the corridor's primary thoroughfares, in many cases the building of frontage roads, access roads, or distributor roads will be required. Such roads shall be coordinated with those of contiguous lots and designed to preserve the aesthetic benefits provided by greenbelt and other landscaped areas. Access at the side or rear of buildings is to be encouraged. New access points onto the primary thoroughfare in the corridor shall be coordinated with existing access points whenever possible.

Q. Signs.

1. On-Premise Signs.

A Sign Plan for the proposed development shall be submitted to the APC as part of the Development Plan. Signs for each proposed use shall be uniform in character as to color and architectural design as approved by the APC. Should an approved Sign Plan be replaced with a new design, the amended Sign Plan must go before the APC for review and approval. Individual signs which conform to both the Sign Ordinance and to the approved Sign Plan shall not require further approval, however, such signs shall require a sign permit.

2. Off-Premise (Outdoor Advertising) Signs.

a. Off-Premise Signs will not be allowed in the I-65 Overlay District. This shall not prohibit incidental signs located at the entrances to commercial or industrial subdivisions.

R. Conforming Uses.

A Development Plan shall be submitted to the APC for its approval when a legal non-conforming use is changed to a conforming use and when either:

1. Any new building is to be constructed; or
2. Any existing building or site development (including addition of parking lot) is expanded by more than thirty percent (30%).

S. Non-Conforming Uses.

A Development Plan shall be submitted to the APC for its approval when a legal non-conforming use is altered as follows:

1. A building has been more than sixty percent (60%) destroyed.
2. Any expansion of a building or site development (including addition of parking lot). Normal maintenance and repair is exempt from the Development Plan approval requirement.
3. If property or building is vacated for more than one (1) year.

T. Waiver of Development Requirements.

1. Building Materials Findings

The APC may grant a waiver of the Building materials Development Requirements of Section IV.V.1.J.8 of this Ordinance and approve the use of alternate exterior Building materials on any facade of a Building upon finding that:

- a. the Building materials utilized represent an innovative use of said materials which enhance the overall aesthetic exterior character of the Building and will not be detrimental to the use or value of area properties;
- b. the Building materials utilized are appropriate when compared to the Building materials utilized on other Buildings on the site and surrounding sites;
- c. the Building materials utilized are consistent with and compatible with other Building materials utilized on, and with the overall exterior character of, other Buildings and development located along the Street; and
- d. the Building materials utilized are consistent with the intent and purpose of this Ordinance.

2. Architectural Design Findings

The APC may grant a waiver of the Architectural Design Requirements of Section IV.V.1.J of this Ordinance and approve an Architectural design which does not meet the requirements of said section upon finding that:

- a. the Architectural design represents an innovative use of Building materials or design, or site design features which will not be detrimental to the use or value of area properties;
 - b. the proposed Building is appropriate when compared to the architecture, design and overall exterior character of other Buildings on the site and surrounding sites;
 - c. the Building design is consistent with and compatible with other development located along the Street; and
 - d. the proposed Building is consistent with the intent and purpose of this Ordinance.
3. The APC may also grant a waiver of the dimensional standards of this Section IV.V.1, beginning with section H.