

ZONING ORDINANCE
for
Crawfordsville, Indiana
and
Contiguous Unincorporated Areas

Chapter 153
Of the Municipal Code of the
City of Crawfordsville, Indiana

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Purpose and Jurisdiction

Section 153.001 Title

The official title of this Ordinance is "Zoning Ordinance of Crawfordsville, Indiana and Contiguous Unincorporated Areas."

Section 153.002 Authority

This Zoning Ordinance is enacted by the City Council pursuant to its authority vested in Indiana Code, 36-7-4-600 et. seq., and other applicable state and federal statutes, as amended from time-to-time.

Section 153.003 Intent and Purpose

This Zoning Ordinance is based in large part on the adopted Crawfordsville Comprehensive Plan, as amended from time-to-time, and similar plans guiding the future development the City. This Ordinance is intended to implement the Comprehensive Plan by regulating the use of land, buildings and structures for the purpose of promoting the health, safety and general welfare of the citizens of Crawfordsville.

Section 153.004 Interpretation

This Zoning Ordinance applies to all land uses and the construction, erection and/or alteration of structures within the City of Crawfordsville as follows:

A. Minimum Requirements

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare of the citizens of Crawfordsville, IN.

B. Continuation of an existing land use

An existing, legally established land use is lawful and not in violation of the City of Crawfordsville's City Code, provided that it is operated and maintained in compliance with all other applicable provisions of this Ordinance.

C. Effect of Zoning Ordinance changes on projects in progress

This Ordinance, as amended from time-to-time, may impose different standards on new land uses, structures, or improvements than those that formerly applied to existing development. The following provisions determine how the requirements of this Ordinance apply to projects in progress at the time the requirements of this ordinance are changed.

1. Projects with Pending Applications

Projects in which the application has not yet been determined to be complete by the Planning Director before the effective date of this Ordinance, or any amendment thereto will be processed according to the requirements in effect when the application was deemed to be complete.

2. Approved Projects Not Yet Under Construction

Consistent with IC 36-7-4-1109, any approved development project for which construction has not begun as of the effective date of this Ordinance, or any amendment thereto, may still be constructed as approved, so long as the first Improvement Location Permit is obtained within three (3) years and where construction is substantially complete within seven (7) years of the submittal of the complete application. Should either of these requirements not be met, the project will be subject to the most recent, or current provisions of this Ordinance, rather than the regulations in place at the time the application was filed.

3. Approved Projects Not Requiring Construction

Any approved development project not requiring construction, that has not been established as of the effective date of this Ordinance, or any amendments thereto, may still be established in compliance with its approved permit, so long as establishment occurs before the expiration of said permit.

4. Projects Under Construction

Approved improvements and/or structure(s) under construction at the time this Ordinance or any amendments thereto, shall be continued under the Ordinance in which they were reviewed and approved. The improvements and/or structure(s) shall be substantially complete within seven (7) years of the issue date of submissions of the complete application. If the improvements or structure(s) are not substantially complete within seven (7) years from submission of the complete application, the City shall require said improvements and/or structure(s) to conform to the standards of the Ordinance(s) in effect at that time.

D. Conformity of Lots Created Prior to Adoption of this Ordinance

Any lot legally created prior to the effective date of this Ordinance which does not meet the minimum lot size required by this Ordinance shall be considered legal non-conforming.

E. Other Requirements May Still Apply

Nothing in this Zoning Ordinance shall eliminate the need for obtaining any other approval or entitlement required by other provisions of the City Code or the requirements of any City Department, or any local, State or Federal Agency.

F. Conflict with Public and Private Provisions

1. Public Provisions

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, those provisions which are more restrictive or impose higher standards shall govern.

2. Private Provisions

These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, except in instances where the provisions of these regulations are more restrictive or impose higher standards or regulations than any easement, covenant, or other private agreement or restriction, in which case the requirements of these regulations shall govern. Where the provisions of the easement, covenant, or private agreement or restriction impose duties and obligations more restrictive, or higher standards than the requirements of these regulations or the determinations of the Commission in enforcing these regulations, and the private provisions are not inconsistent with these regulations or determinations hereunder, then the private provisions shall be operative an supplemental to these regulations, or the determinations made there under. In addition, private provisions shall only be enforced privately.

Section 153.005 Compliance

No structure shall be located, erected, constructed, reconstructed, moved, converted, or enlarged; to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of the permits required by this Ordinance.

Section 153.006 Jurisdictional Area

This Ordinance shall apply to all incorporated land within the City and all unincorporated land within the City's 2-mile extra-jurisdictional area, as illustrated on the Zone Map on file with the City Clerk Treasurer, and in the office of the Plan Commission.

Section 153.007 Annexation

All territory which may be hereafter annexed into the City of Crawfordsville, unless the same be zoned under a zoning ordinance valid under the laws of the State of Indiana at the time of annexation, shall acquire the R-1 Residential District classification and shall remain so zoned until otherwise classified by a rezoning.

Establishment of Zoning District & Map

Section 153.008 Zone Map

A map entitled "Crawfordsville Zone Map" and including the contiguous unincorporated area is hereby adopted as part of this Ordinance. The Zone Map shall be kept on file and available for examination at the office of the City Clerk Treasurer, and the office of the City Plan Commission.

Section 153.009 District Boundaries

District boundaries shown within the lines of streets, streams, and transportation rights-of-way shall be deemed to follow their centerlines. The vacation of streets shall not affect the location of such district boundaries. When the Planning Director cannot definitely determine the location of a district boundary by such centerlines, by the scale of dimensions stated on the Zone Map, or by the fact that it clearly coincides with a property line, he or she shall refuse action, and the Board of Zoning Appeals, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zone Map and the purposes set forth in all relevant provisions of this Ordinance.

Section 153.010 Zoning Districts

The City and contiguous unincorporated area are divided into the districts stated in this Ordinance as shown by the district boundaries on the Zone Map. There are created for zoning purposes within the territory under the jurisdiction of the Plan Commission, classes of districts with the following names and designations:

A. Conservation District

The conservation district ("C-1") is intended to be limited to agricultural, recreational and certain other open land uses. The purpose of this district is to prevent intensive development of land that is unsuitable for development because of topography, soil conditions, periodic flooding, or other natural features. Residential and related uses may be permitted by special exception. Refer to the Official Schedule of Uses.

B. Agricultural-Residential District

The agricultural-residential district ("A-R") is intended for areas that cannot feasibly be served with public water and sewer facilities. This district will preserve and protect agricultural land from undesirable urban growth while permitting residential development on large lots, which provide adequate space for private water and sewerage facilities.

C. Residential Districts

The residential districts ("R-1", "R-2", and "R-3") are intended to be limited to dwellings and public or semi-public uses which are normally associated with residential neighborhoods. The only uses permitted in the residential districts are those which would not detract from the residential character of the neighborhood (refer to the Official Schedule of Uses). While the number of families, the lot and yard requirements, and the setbacks may vary between each residential district so that the City may provide for the housing needs and desires of all its citizens, the overarching purpose of these districts is to create an attractive, stable, and orderly residential neighborhood environment.

D. Business Districts

The business districts ("B-1", "B-2", and "B-3") are intended to be limited to business, public and certain residential uses and to provide for conveniently located unified shopping destinations. Through the establishment of relatively compact districts for all business related uses, the City is better able to provide for more efficient and effective traffic movement, parking facilities, and emergency services. Industrial uses are often excluded in order to reduce the hazards caused by the extensive truck and rail movements which are typically associated with such industrial uses. The "B-1" district is intended to be limited to the downtown area.

E. Industrial Districts

The industrial districts ("I-1" and "I-2") are intended to provide suitable space for the expansion of existing industrial uses as well as for future industrial development. The desirable location for these districts are parcels near railroads or highways. These parcels are typically well suited to the transportation needs of industrial uses. Performance and

developing standards and regulations are set forth in this Ordinance in order to insure that industrial development is compatible with adjacent uses.

F. Planned Unit Development District

The intent of a planned unit development (PUD) is to encourage innovative residential communities and mixed-use developments within the City of Crawfordsville that will preserve the natural amenities of the site and provide for the general welfare of the jurisdiction. Developers of planned unit developments will be offered flexibility in design and development. However, a PUD shall not compromise the purpose of this Ordinance nor shall it be a far departure from the purpose and intent of the original district.

G. Stream Corridor District

The purpose of the stream corridor district ("SC") is to preserve and protect the existing natural and scenic qualities of lands adjacent to streams of unique historical, scenic and recreational value. By limiting the type of uses permitted, either by right or by special exception, within the SC District, the City is better able to: preserve the stream and the lands adjacent to it in an undisturbed natural state so as to add in the aesthetic appeal and water quality of the stream corridor; protect wildlife and natural vegetation; and, prevent erosion. The Stream Corridor District shall extend one hundred and fifty (150) feet horizontally in each direction measured from the center thread and/or secondary thread of the stream. Special exceptions may require flood plain permits and/or recommendations from the Indiana Department of Natural Resources. These permits and/or recommendations shall be obtained prior to any action by the Board of Zoning Appeals. The BZA may impose greater restrictions. In addition, there shall be no clear cutting of timber or complete removal of vegetation within the district. Timber may be cut using good forestry practices and vegetation may be trimmed.

Explanation of Use Classifications

Section 153.011 Official Schedule of Uses

Certain principal and accessory uses are permitted, either by right or by special exception, in each zoning district. The City of Crawfordsville's *Official Schedule of Uses* shall determine whether or not a specific use is permitted or prohibited in each of the established zoning districts. Uses not specifically listed or defined to be included in this Division shall be prohibited.

Section 153.012 Permitted Uses

Permitted uses are allowed, by right, in a particular zoning district or districts and shall be subject to the restrictions applicable to that zoning district. Permitted uses do not require consideration or approval by the Board of Zoning Appeals.

Section 153.013 Special Exception Uses

Certain uses may be appropriate in any number of districts; however, some uses may require an added degree of scrutiny in the form of development plan review to ensure that the proposed activities, traffic generation, on- and off-street parking, and other elements of the project do not negatively affect adjacent properties. Special exception uses are only permissible with the issuance of a special exception use permit. The special exception uses for each district are listed in the *Official Schedule of Uses*. The Board of Zoning Appeals shall take into consideration all of the applicable provisions of this Ordinance, and any other applicable ordinance or regulations when reviewing and deciding on any special exception use permit.

Section 153.014 Accessory Uses and Structures

Accessory uses and structures such as privacy garages, tool sheds, fences, and swimming pools may be permitted in conjunction with a principal use or structure, provided that the accessory use or structure does not alter the character of the district in which it is being proposed. In addition, accessory uses and structures shall meet the follow requirements:

A. General Provisions for Accessory Uses and Structures

1. Accessory uses and structures may be permitted subject to approval by the Planning Director.
2. There can be no accessory use/structure without a principal use/structure.
3. No accessory use/structure shall be permitted prior to the operation or erection of its principal use/structure.
4. No accessory use/structure shall be used unless the principal use/structure is also being used.
5. Accessory uses/structures shall be operated and maintained under the same ownership and shall be located on the same lot as the principal use/structure.
6. The materials, and any architectural design elements, used for the construction of the accessory structure shall be comparable in color, texture, and scale as the principal structure.
7. Accessory structures shall be clearly subordinate in height, area, extent and purpose when compared to principal structure.

B. Provisions for Individual Accessory Uses and Structures

The following provisions are in addition to the general provisions listed above and are use specific in their applicability.

1. Private Residential Swimming Pool

A private residential swimming pool may be permitted as an accessory use, provided that access to the said accessory use is restricted by one (1) of the following means:

- a. Walls or fencing not less than five (5) feet high and completely surrounding the pool and deck area with the exception of self-closing and latching gates or doors, each capable of being locked.
- b. Other means not less than five (5) feet high, and deemed impenetrable by the Planning Director, at the time of construction and completely surrounding the pool and deck area when the pool is not in use.

- c. A combination of (a) and (b) above that completely surrounds the pool and deck with the exception of self-closing and latching gates or doors, which are capable of being locked.
- d. A power safety pool cover, provided that it:
 - (1) Provides a continuous connection between the cover and the deck, so as to prohibit access to the pool when the cover is completely drawn over the pool;
 - (2) Be mechanically operated by a key or key and switch such that the cover cannot be drawn open or retracted without the use of a key;
 - (3) Is installed with track, rollers, rails, guides, or other accessories necessary to accomplish clauses (a) and (b) above, in accordance with the manufacturer's instructions; and
 - (4) Bears an identification tag indicating that the cover satisfied the requirements of ASTM F 1346 for power safety pool covers.

2. Pools, Multi-Family or Commercial (Public or Private)

All outdoor pools installed as an accessory use to a multi-family residential dwelling or commercial establishment (including public pools) shall be completely surrounded by walls or fencing not less than seventy-two (72) inches high and of a design that will restrain the entrance of intruders. Ornamental fencing shall not have over four (4) inches of space between pickets.

Section 153.015 Temporary Uses and Structures

The purpose of this Section is to effectively and promptly permit temporary uses and structures within the jurisdiction of the City of Crawfordsville.

A. General Provisions and Standards

All temporary uses and structures shall meet the following conditions:

1. The temporary use/structure shall comply with all county and state health requirements, which would be imposed upon a permanent use/structure on the same lot.
2. No temporary use/structure shall be permitted to encroach on any required yard, sidewalk, setback, or easement as specified by the zone in which it is located.
3. Adequate access and off-street parking facilities, which do not interfere with traffic movement on adjacent streets, shall be provided.

B. Provisions for Individual Temporary Uses and Structures

Unless otherwise stated, the following temporary uses and/or structures may be permitted in any district, through the issuance of a Temporary Use Permit.

1. Temporary Residence

A manufactured structure or recreational vehicle may be moved onto a lot and be used as a temporary residence in the event that an owner's primary residence is undergoing temporary repairs or renovations, provided that the following conditions are met:

- a. The Improvement Location Permit for the structure being built remains valid.
- b. The temporary residence is located on the same lot as the permanent residence.
- c. The temporary residence ceases to be used after a maximum of nine (9) months. If a temporary residence is needed for longer than nine (9) months, a Special Exception Permit may be granted by the

Board of Zoning Appeals. Said Special Exception Permit shall not exceed twelve (12) months. No extension for the special exception permit shall be granted.

- d. The temporary residence shall be vacated and removed from the premises within thirty (30) days from the expiration, or revocation, of the Improvement Location Permit for the permanent structure, or within thirty (30) days of the expiration date of the special exception permit, which ever occurs first.

2. Temporary Office

A manufactured structure may be moved onto a lot and be used as a temporary office as a result of: the construction of a project; unique employee training periods, office overcrowding, or other similar office shortage situations; or a natural disaster, provided the following conditions are met:

- a. The Improvement Location Permit for the temporary structure remains valid.
- b. The temporary residence is located on the same lot as the permanent residence.
- c. The use of any temporary office shall not exceed six (6) months. For temporary offices needed for a period longer than six (6) months, a special exception permit may be granted by the Board of Zoning Appeals. Said special exception permit shall not exceed two (2) years. Special exception permits for temporary offices may be extended once, for a period not to exceed one (1) year.
- d. The temporary office shall be vacated and removed from the premises within thirty (30) days from the expiration, or revocation, of the Improvement Location Permit, or within thirty (30) days of the expiration date of the applicable special exception permit.
- e. There may be more than one (1) temporary office located on a lot, plot or tract of land, provided that each temporary office is issued, or otherwise included in, a special exception permit.

3. Used as Temporary Classrooms

A temporary use permit may be issued for such a trailer in any district when it is erected accessory to a public use, semipublic use, or essential service.

- a. A temporary permit for trailers used as temporary classrooms shall be limited to a period not to exceed six (6) months.
- b. If a trailer is to be used as a temporary classroom for a period exceeding six (6) months, a temporary use permit shall only be approved when a special exception use permit has been issued pursuant to this Ordinance. The Planning Commission shall establish the expiration date of such temporary use permit.

4. Christmas Tree Sales

No Christmas tree sales area shall exist for more than sixty (60) days during any twelve (12) month period of time. The fee for a temporary use permit shall not apply, provided that they are being sold by a non-profit organization as part of a fundraising activity. Otherwise, the fee for a temporary Christmas tree sales area shall be as prescribed by the Official Fee Schedule.

5. Roadside Stands

Roadside stands may be permitted in a business district. No roadside stand shall exist for more than sixty (60) days during any twelve (12) month period of time. Said sixty (60) time period may be consecutive days, or separate events, provided that the total amount of time permitted does not exceed the sixty (60) time period for the year. The fee for temporary roadside stands shall be as prescribed by the Official Fee Schedule. Farmer's markets and festivals shall be excluded from these provisions.

6. Fireworks Stands

Strict compliance with the provisions of State fireworks laws is required. In addition, Fireworks stands are prohibited from being located in a residential zoning district, unless otherwise approved, in writing, by the Planning Director. The owner shall also comply with the requirements of the Clerk-Treasurer's Office, which includes but is not limited to: obtaining a surety bond, providing proof of insurance, paying a user fee.

7. Temporary/Portable Storage Unit

Temporary/portable storage units shall be permitted in any residential district, provided that they comply with the following minimum standards:

- a. Time Limitation. No temporary/portable storage unit may be located on any site, in any residential district for a period longer than ten (10) consecutive days from time of delivery to time of removal. At the end of such period, the temporary storage unit shall be moved off-site and shall not be returned for at least one (1) month from the date it was removed.
 - b. Number of Units. No more than two (2) temporary/portable storage units may be located on a lot of record at one time.
 - c. Location. No temporary/portable storage unit may be located closer than ten (10) feet to any property line. Under no circumstances may a temporary/portable storage unit be located within a public right-of-way
 - d. Removal. In the event of high winds or other adverse weather conditions in which such a structure may become a physical danger, the appropriate law enforcement officer may require the immediate removal of such temporary structure. In the event that a unit has been in place longer than the time period specified in (a) above, the Planning Director shall cause said structure to be removed. In any instance, all costs associated with the removal of a temporary/portable storage unit shall be the responsibility of the landowner.
 - e. Use. No temporary/portable storage unit shall be used to store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, or any illegal or hazardous material.
8. Other similar uses deemed temporary by the Planning Director and attached with such time period, conditions, safeguards as the Planning Director may deem necessary.

Section 153.016 Nonconforming Uses, Lots and Structures

Within the districts established by this Ordinance, including amendments thereto, there may exist lots, uses, or structures which were lawful before the effective date of this Ordinance, but which would be prohibited, regulated or restricted under the terms of this Ordinance. It is the intent of this Section to allow said nonconforming lots, uses, or structures to continue until they are removed, but not to encourage their survival. Nothing in this Section shall be deemed to prevent the strengthening, or restoring to a safe condition, any building or part thereof which has been declared to be unsafe by any official charged with protecting the public safety. The existence of nonconforming lots, uses and structures is not to be used as grounds for adding similar lots, uses or structures which would otherwise be prohibited. Nonconforming situations shall be governed as follows:

A. Agricultural Uses

Consistent with IC 36-7-4-616, an agricultural use of land that constitutes an agricultural nonconforming use may be changed to another agricultural use of land without losing agricultural nonconforming use status. In addition, an agricultural nonconforming use shall not be restricted or required to obtain a variance or special exception so long as an agricultural nonconforming use has been maintained for three (3) years in a five (5) year period.

B. Single Nonconforming Lots of Record

In any district, construction on a single nonconforming lot of record in existence prior to the effective date of this Ordinance, as amended from time-to-time, and excluding any other limitations imposed by other provisions of this Ordinance, are subject to the following:

1. Any nonconforming lot shall be in a separate ownership and not contiguous with other lots in the same ownership; and
2. All setback, height and other applicable provisions of the zoning district shall be satisfied unless appropriate variances are obtained.

C. Nonconforming Lots of Record in Combination

If two (2) or more lots, or a combination of lots and portions of lots with continuous frontage in single ownership, are of record prior to the effective date of this Ordinance, as amended from time-to-time, and if all or part of the lot(s) which is void of any structure(s) do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of administering and enforcing this Ordinance. No portion of the parcel shall be used or sold in a manner which diminishes compliance with the lot, width, and area requirements established by this Ordinance. Nor shall any division of a parcel be made which creates a lot with width or area below the requirements stated in this Ordinance.

D. Nonconforming Uses

Where, at the time of adoption of this Ordinance, lawful use(s) of land exist which would not be permitted by the regulations imposed by this Ordinance, as amended from time-to-time, the use(s) may be continued so long as they otherwise remain lawful. Such uses shall also be subject to the following provisions:

1. A nonconforming use may be continued but shall not be extended, expanded, or changed unless to a conforming use, except as permitted by the Board of Zoning Appeals.
2. A nonconforming use shall not be moved, in whole or in part, to any portion of the lot or parcel.
3. In the event that any nonconforming use which is conducted within a structure ceases, for whatever reason, for a period of one (1) year, said nonconforming use shall not be resumed, unless approved by the Board of Zoning Appeals.
4. No structure shall be erected, constructed, or altered in connection with a legally nonconforming use of land.

E. Nonconforming Structures

Where a structure that could no longer be built under the provisions of this Ordinance exists, the structure may continue to exist so long as it remains otherwise lawful. Said structure shall also be subject to the following provisions:

1. A nonconforming structure may continue to exist but shall not be enlarged or altered in a way which increases its nonconformity. Conversely, a nonconforming structure may be altered so as to decrease its nonconformity.
2. Any nonconforming structure damaged by fire, flood, explosion or other such catastrophe, where said damage is less than fifty percent (50%) of the structures fair market value, may be reconstructed and used as before if the reconstruction of said structure is substantially complete within twelve (12) months of the catastrophic event, provided that the restored structure has no greater coverage and contains no greater cubic content than before such catastrophe. In the event that the structure is reconstructed to comply with the existing standards, this provision shall not apply.
3. Any nonconforming structure damaged by fire, flood, explosion or other such catastrophe, where such damage is greater than fifty percent (50%) of the structures fair market value, shall be required to conform with the regulations imposed by this Ordinance, as amended from time-to-time.
4. No nonconforming structure shall be moved for any reason for any distance, unless said structure is being removed from the site.

5. Work may be done on any nonconforming structure in any period of twelve (12) consecutive months. Such work may include ordinary repairs such as the repair or replacement of non-load bearing walls, fixtures, wiring or plumbing, provided that the repaired structure has no greater coverage and contains no greater cubic content than before such repairs.
6. If a nonconforming structure, or portion thereof, becomes physically unsafe or by reason of its physical condition, shall not thereafter be restored, repaired or rebuilt except in conformance with this Ordinance.

F. Nonconforming Uses and Structures in Combination

Where a lawful use occupied by a lawful structure existed prior to the effective date of this Ordinance, as amended from time-to-time, where one or the other, or both, do not comply with the requirements imposed by this Ordinance, nonconforming combination of use and structure may be continued so long as they both remain otherwise lawful. Such a combination shall also be subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Ordinance shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered, except to change the use from a legally nonconforming use to a conforming use, in which case, such modifications shall be subject to the provisions of this Ordinance.
2. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the legally nonconforming status of the use, in which case, both the structure and the use shall be brought into conformance with the provisions of this Ordinance, as amended from time-to-time.

Planned Unit Development Regulations

Section 153.017 Planned Unit Development (PUD)

A. Open Space Requirement

A PUD shall contain permanently reserved land suitable for the common use of the public or the owners within the PUD. This may be accomplished by dedication, covenant, or easement. Said open space may be comprised of non-buildable land as the result of topography, soil conditions, wetlands, etc. The open space shall constitute a minimum of ten percent (10%) of the gross acreage less rights of way. This land may be used for recreational or scenic open space, or as a landscaped buffer as approved by the Commission. This land may also be set aside as sites for future public facilities. Provisions for permanent control and maintenance of this land shall be outlined in a form acceptable by the Plan Commission.

B. Types

For the purpose of administering and enforcing this Ordinance, there shall be two types of PUDs: residential and mixed-use.

1. Residential PUD Development Requirements

The following standards shall be used in designing and developing all residential PUDs:

- a. Residential PUDs shall be permissible on tracts of land of at least five (5) acres.
- b. Permissible types of residential uses within a residential PUD shall be prescribed by the applicable PUD district ordinance as approved by the Plan Commission and the Common Council.
- c. In any residential PUD, the minimum lot and setback requirements of the initial zoning district may be reduced, provided that each lot is at least seven thousand (7,000) square feet with a minimum width of sixty (60) feet. To the extent practicable, all perimeter lots shall be sized and oriented so as to provide a reasonable transition between the residential uses of the PUD and any adjacent land uses.
- d. In the event that a residential PUD is to be located adjacent to a single-family neighborhood, all two-family or multi-family portions of a residential PUD should be located nearer the interior of the development rather than the periphery of the tract.

2. Mixed-Use PUD Development Requirements

The following standards shall be followed in designing and developing all mixed-use PUDs:

- a. Mixed-use PUDs shall be permissible on tracts of land of at least five (5) acres.
- b. Permissible types of uses within a mixed-use PUD shall be prescribed by the applicable PUD district ordinance as approved by the Plan Commission.
- c. Within any tract of land developed as a mixed-use PUD, a minimum of fifty percent (50%) of the buildable land shall be developed for single-family detached dwellings. Not more than thirty percent (30%) of the buildable area may be developed for two-family or multi-family dwellings. Not more than twenty percent (20%) of the total buildable area may be developed for non-residential uses.
- d. The site development plans and construction plans for any proposed mixed-use PUD shall indicate the particular portions of the tract that the developer intends to develop for each use. One (1) plan shall be approved for the mixed-use PUD; however, for the purposes of determining the substantive regulations that apply to the mixed-use PUD, each portion of the tract so designated shall then be treated as if it were a separate district, zoned to permit respectively higher density residential, lower density residential or business uses.

- e. The non-residential portion(s) of any mixed-use PUD may not be occupied until fifty percent (50%) of the residential portions of the development are substantially completed, unless a performance bond and/or maintenance guarantee are in effect. The guarantee shall be done in accordance with the provisions of this Ordinance. The purpose and intent of this provision is to ensure that the mixed use PUD procedure is not used, intentionally or unintentionally, to create non-residential uses in areas generally zoned for residential uses except as part of an integrated and well-planned, mixed-use development.

C. Application

The application for a PUD shall be submitted to the Plan Commission on a form approved by the Plan Commission. This drawing shall include details, as required by the Commission, including the location of properties within three hundred (300) feet of the proposed PUD district boundary.

D. PUD district ordinances

PUD district ordinances shall be adopted and amended in accordance with the following procedures:

1. The Common Council shall adopt and amend PUD district ordinances in the same manner as a zone map change. Approval of the PUD district ordinance by the Common Council shall constitute a zone map change to "PUD." In the event construction has not begun on the PUD within seven years from the date of PUD district ordinance approval, the zoning shall revert to the previous zoning.
2. A PUD district ordinance shall be expressed in either general terms or detailed terms. At the initial public hearing, the Plan Commission shall make a finding as to whether the PUD is expressed in either general or detailed terms.
3. If the PUD ordinance is expressed in detailed terms, a secondary review of the PUD ordinance shall not be required, provided that the ordinance specifies any and all plan documentation or supporting information that must be supplied before an Improvement Location Permit for any structure within the PUD district is issued. Secondary approval of a PUD ordinance shall also constitute final plat approval.
4. If the PUD district ordinance is expressed in general terms, a secondary review of the PUD district ordinance, which shall specify any plan documentation or supporting information that must be supplied in connection with the secondary review, shall be required. Such documentation and supporting information shall follow the following procedures:
 - a. The Common Council hereby delegates authority to conduct secondary review of all PUD district ordinances to the Plan Commission. However, the Common Council reserves its right to modify the permitted uses or development requirements of all PUD district ordinances at the time of the zone map change. Such modification shall be conducted in an open Council meeting;
 - b. The Plan Commission shall hear and consider all secondary reviews during a public hearing;
 - c. The approval of the secondary review shall be by an affirmative vote of the Plan Commission. The disposition of the secondary review shall be covered by the Plan Commission's Rules of Procedure and adopted by resolution;
 - d. If the secondary review is denied by the Plan Commission, the applicant may appeal said decision to the Common Council. A written letter requesting the appeal shall be delivered to the Plan Commission office within ten (10) days of the Plan Commission's decision. The Planning Director shall prepare a council resolution affirming the Commission's decision and forward it to the Council. If the Council affirms the Commission's denial, the Council's decision may be reviewed by certiorari.

Floodplain Management Regulations

Section 153.018 Statutory Authorization, Findings of Fact, Purpose, and Objectives

A. Statutory Authorization

Under IC 36-7-4 and IC 14-28-4, the Indiana Legislature has granted local government the power to control land use within their jurisdiction, which includes taking into account the effects of flooding.

B. Purpose and Intent

The purpose of this Section is to guide development proposed within flood hazard areas. The Common Council of Crawfordsville hereby adopts the following floodplain management regulations in order to accomplish the following:

1. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging, and other development which may increase erosion or flood damage;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands;
6. Make federally subsidized flood insurance available for structures and their contents in the City of Crawfordsville, and the two-mile extra-jurisdictional territory by fulfilling the requirements of the National Flood Insurance Program;
7. Protect human life and health;
8. Minimize expenditure of public money for costly flood control projects;
9. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
10. Minimize prolonged business interruptions;
11. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains;
12. Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and
13. Ensure that potential homebuyers are notified that property is in a flood area.

Section 153.019 General Provisions

A. Lands to which this Ordinance applies

This Ordinance shall apply to all SFHAs within the jurisdiction of Crawfordsville.

B. Basis for establishing regulatory flood data

This Ordinance's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

1. The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs delineated as an "A Zone" on the FIRM of the City shall be according to the best data available as provided by the Indiana Department of Natural Resources.

2. For the SFHAs of those parts of unincorporated Montgomery County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City: If the SFHA is delineated as "Zone A" on the County Flood Insurance Rate Map, the regulatory flood elevation, floodway, and fringe limits shall be according to the best data available as provided by the Indiana Department of Natural Resources.

C. Establishment of Floodplain Development Permit

A Floodplain Development Permit shall be required in conformance with the provisions of this Ordinance prior to the commencement of any development activities in areas of special flood hazard.

D. Compliance

No structure shall be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of this ordinance and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of this ordinance and other applicable regulations.

E. Discrepancy between Mapped Floodplain and Actual Ground Elevations

1. In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.
2. If the elevation of the site in question is below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.
3. If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA and the floodplain regulations will not be applied. The property owner should be advised to apply for a LOMA.

F. Interpretation

In the interpretation and application of this Section all provisions shall be:

1. Considered as minimum requirements.
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statute..

G. Warning and Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of Crawfordsville, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully there under.

H. Penalties for Violation

Failure to obtain a Floodplain Development Permit in the SFHA or failure to comply with the requirements of a Floodplain Development Permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for Crawfordsville. All violations shall be punishable by a fine prescribed by the Official Fee Schedule, as amended from time to time.

1. A separate offense shall be deemed to occur for each day the violation continues to exist.
2. The Crawfordsville Planning Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
3. Nothing herein shall prevent the City from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

Section 153.020 Administration

A. Designation of Administrator

The Common Council of Crawfordsville hereby appoints the Plan Director to administer and implement the provisions of this ordinance and is herein referred to as the Floodplain Administrator.

B. Duties and Responsibilities of the Floodplain Administrator

The Floodplain Administrator and/or designated staff is hereby authorized and directed to enforce the provisions of this ordinance. The administrator is further authorized to render interpretations of this ordinance, which are consistent with its spirit and purpose.

1. Review all floodplain development permits to assure that the permit requirements of this ordinance have been satisfied;
2. Inspect and inventory damaged structures in SFHA and complete substantial damage determinations;
3. Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to Section 153.021 E, Standards for Identified Floodways, and Section 153.021G.1., Standards for SFHAs without Established Base Flood Elevation and/or Floodways Fringes, of this Ordinance, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment.)
4. Ensure that all necessary federal or state permits have been received prior to issuance of the local floodplain development permit. Copies of such permits are to be maintained on file with the floodplain development permit;
5. Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of such notifications to FEMA;
6. Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this ordinance.
7. Utilize and enforce all Letters of Map Revision (LOMR) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community.
8. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
9. Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Section 153.020C, Permit Procedures;
10. Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed, in accordance with Section 153.020 C, Permit Procedures;
11. Review certified plans and specifications for compliance.
12. Stop Work Orders (optional). Upon notice from the floodplain administrator, work on any building, structure or premises that is being done contrary to the provisions of this ordinance shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.
13. Revocation of Permits (optional). The floodplain administrator may revoke a permit or approval, issued under the provisions of the ordinance, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based. The floodplain administrator may revoke a permit upon determination by the floodplain administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this ordinance.

C. Permit Procedures

Application for a Floodplain Development Permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:

1. Application Stage
 - a. A description of the proposed development;
 - b. Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams;
 - c. A legal description of the property site;
 - d. A site development plan showing existing and proposed development locations and existing and proposed land grades;
 - e. Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in NAVD 88 or NGVD;
 - f. Elevation (in NAVD 88 or NGVD) to which any non-residential structure will be floodproofed; and
 - g. Description of the extent to which any watercourse will be altered or related as a result of proposed development.
2. Construction Stage. Upon placement of the lowest floor, or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NAVD 88 or NGVD elevation of the lowest floor or floodproofed elevation, as built. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by such review before any further work is allowed to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

Section 153.021 Provisions for Flood Hazard Reduction

A. General Standards

In all SFHAs the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
2. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the FPG;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

5. Electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this ordinance shall meet the requirements of "new construction" as contained in this ordinance; and,
10. Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of this ordinance, shall be undertaken only if said non-conformity is not further, extended, or replaced.

B. Specific Standards

In all SFHAs, the following provisions are required:

1. All Structure

In addition to the requirements of Section 153.021 A, General Standards, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:

- a. Construction or placement of any new structure having a floor area greater than 400 square feet;
- b. Addition or improvement made to any existing structure: (i) where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land); (ii) with a previous addition or improvement constructed since the community's first floodplain ordinance.
- c. Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damage occurred;
- d. Installing a travel trailer or recreational vehicle on a site for more than 180 days.
- e. Installing a manufactured home on a new site or a new manufactured home on an existing site. This ordinance does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and
- f. Reconstruction or repairs made to a repetitive loss structure;

2. Residential Construction

New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor, including basement, at or above the FPG (two feet above the base flood elevation). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of Section 153.021B.4, Elevated Structures.

3. Non-Residential Construction

New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured) shall have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation). Structures located in all "A Zones" may be floodproofed in lieu of being elevated if done in accordance with the following:

- a. A Registered Professional Engineer or Architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, and rate of rise, hydrostatic pressures, and impacts from debris or ice. Such certification shall be provided to the official as set forth in Section 153.020 B.10, Duties and Responsibilities of the Floodplain Administrator.
- b. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

4. Elevated Structures

New construction or substantial improvements of elevated structures that include fully enclosed areas formed by foundation and other exterior walls below the flood protection grade shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

- a. Provide a minimum of two openings having a total net area of not less than one square inch for every one square foot of enclosed area; and
- b. The bottom of all openings shall be no higher than one foot above foundation interior grade (which must be equal to in elevation or higher than the exterior foundation grade); and
- c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and
- d. Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
- e. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms; and
- f. Portions of the building below the flood protection grade must be constructed with materials resistant to flood damage.

5. Structures Constructed on Fill

A residential or nonresidential structure may be constructed on a permanent land fill in accordance with the following:

- a. The fill shall be placed in layers no greater than 1 foot deep before compacting to 95% of the maximum density obtainable with the Standard Proctor Test method.
- b. The fill should extend at least ten feet beyond the foundation of the structure before sloping below the FPG.
- c. The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulk heading. If vegetative cover is used, the slopes shall be no steeper than 3 horizontal to 1 vertical.

- d. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
- e. The top of the lowest floor including basements shall be at or above the FPG.

6. Standards for Structures Constructed with a Crawlspace

A residential or nonresidential structure may be constructed with a crawlspace located below the flood protection grade provided that the following conditions are met:

- a. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; and
- b. Any enclosed area below the flood protection grade shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. Provide a minimum of two openings having a total net area of not less than one square inch for every one square foot of enclosed area. The bottom of the openings shall be no more than one foot above grade; and
- c. The interior grade of the crawlspace must be at or above the base flood elevation; and
- d. The interior height of the crawlspace measured from the interior grade of the crawlspace to the top of the foundation wall must not exceed four feet at any point; and
- e. An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event; and
- f. Portions of the building below the flood protection grade must be constructed with materials resistant to flood damage; and
- g. Utility systems within the crawlspace must be elevated above the flood protection grade.

7. Standards for Manufactured Homes and Recreational Vehicles

Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:

- a. The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site;
 - (i) Outside a manufactured home park or subdivision;
 - (ii) In a new manufactured home park or subdivision;
 - (iii) In an expansion to an existing manufactured home park or subdivision; or
 - (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.
- b. The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.

- c. Recreational vehicles placed on a site shall either:
 - (i) Be on site for less than 180 days; and,
 - (ii) Be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - (iii) Meet the requirements for "manufactured homes" as stated earlier in this Section.

C. Standards for Subdivision Proposals

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
4. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of fifty lots or five acres.

D. Critical Facility

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities to the extent possible.

E. Standards for Identified Floodways

Located within SFHAs, established in Section 153.019 B, Basis for Establishing Regulatory Flood Data, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential. If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of IC 14-28-1, a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (IC 14-28-1-26 allows construction of non-substantial additions/ improvements to residences in a non-boundary river floodway without obtaining a permit for construction in a floodway from the Indiana Department of Natural Resources. Please note that if fill is needed to elevate an addition above the existing grade, prior approval (construction in a floodway permit) for the fill is required from the Indiana Department of Natural Resources.)

1. No action shall be taken by the Floodplain Administrator until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in a floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Section 153.021, Provisions for Flood Hazard Reduction, of this Ordinance have been met. The Floodplain Development Permit cannot be less restrictive than the permit for construction in a floodway issued by the Indiana Department of Natural Resources. However, a community's more restrictive regulations (if any) shall take precedence.
2. No development shall be allowed which acting alone or in combination with existing or future development, will increase the regulatory flood more than 0.14 of one foot; and

3. For all projects involving channel modifications or fill (including levees) the City shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.

F. Standards for Identified Fringe

If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in Article 5 of this Ordinance have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.

G. Standards for SFHAs without Established Base Flood Elevation and/or Floodway/Fringes

1. Drainage area upstream of the site is greater than one square mile:
 - a. If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.
 - b. No action shall be taken by the Floodplain Administrator until either a permit for construction in the floodway or a floodplain analysis/regulatory assessment citing the 100 year flood elevation and the recommended Flood Protection Grade has been received from the Indiana Department of Natural Resources.
 - c. Once the Floodplain Administrator has received the proper construction in a floodway permit or floodplain analysis/regulatory assessment approving the proposed development, a Floodplain Development Permit may be issued provided the conditions of the Floodplain Development Permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in Section 153.021, Provisions for Flood Hazard Reduction, of this Ordinance have been met.
2. Drainage area upstream of the site is less than one square mile:
 - a. If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodway, fringe and 100-year flood elevation for the site.
 - b. Upon receipt, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in Section 153.021, Provisions for Flood Hazard Reduction, of this Ordinance have been met.
3. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages.

Section 153.022 Variance Procedures

A. Variance Procedures

1. Limitations
 - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - b. Variances from Section 153.021 B, Specific Standards, may be granted provided that the new structure is: located on a lot of one-half (1/2) acre or less in size; and contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.

- c. No variance for a residential use within a floodway subject to Section 153.021 E, Standards for Identified Floodways and Section 153.021 G.1, or Standards for SFHAs without Established Base Flood Elevation and/or Floodways/Fringes shall be granted.
- d. Any variance granted in a floodway which is subject to Section 153.021 E, Standards for Identified Floodways and Section 153.021 G.1, or Standards for SFHAs without Established Base Flood Elevation and/or Floodways/Fringes shall require a permit from the Indiana Department of Natural Resources.

2. Historic Structures

Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures provided that:

- a. A determination is made that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure; and
- b. The variance is the minimum to preserve the historic character and design of the structure.

3. Considerations

In addition to the provisions of this Ordinance, the Board of Zoning Appeals shall also consider the following in their decision on requests for variances within a SFHA:

- a. The danger of life and property due to flooding or erosion damage;
- b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- c. The importance of the services provided by the proposed facility to the community;
- d. The necessity to the facility of a waterfront location, where applicable;
- e. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- f. The compatibility of the proposed use with existing and anticipated development;
- g. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- h. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- i. The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site; and,
- j. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

4. Decision Criteria

Variances within a SFHA shall only be issued when there is:

- a. A showing of good and sufficient cause; and
- b. A determination that failure to grant the variance would result in exceptional hardship; and

- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

5. Notification

Any applicant to whom a variance is granted shall be given written notice over the signature of a city official that:

- a. The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance; and
- b. Such construction below the base flood level increases risks to life and property.

B. Responsibility of the Floodplain Administrator

1. Variance Actions

The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in the city's biennial report submission to the Federal Emergency Management Agency.

2. Appeal Actions

The Floodplain Administrator shall maintain the records of appeal actions and report any variances to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request.

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General Provisions & Regulations

Section 153.023 Performance Standards

No structure shall be located, erected, constructed, reconstructed, moved, converted, or enlarged; to be used except in full compliance with all of the provisions of this Ordinance and after the lawful issuance of the permits required by this Ordinance. No use in existence of the effective date of this Ordinance, as amended from time-to-time, shall be so altered or modified to conflict with the provisions of this Ordinance. All uses established or placed into operation after the effective date of this Ordinance, as amended from time-to-time, shall comply with the following performance standards in the interest of protecting the public health, safety and welfare, and to lessen personal injury and property damage.

A. Fire Protection

Fire fighting equipment and prevention measures acceptable to the City Fire Department shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is present on-site.

B. Electrical Disturbance

No use shall cause electrical and/or non-visible light (i.e. infrared, microwave, ultraviolet) disturbance(s) which would adversely affect radio, television, or other equipment in the vicinity.

C. Noise

No use shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, best, shrillness or vibration. Said noise shall be muffled or otherwise controlled so as not to become detrimental, with the exception of public safety sirens and related apparatus used solely for public safety purposes.

D. Vibration

No use shall cause vibrations or concussions detectable, without the aid of instruments, beyond the lot lines.

E. Odor

No use shall emit malodorous gas or matter in such quantity as to be readily detectable at any point across the lot line, with the exception of permitted agricultural activities.

F. Air Pollution

No use shall discharge fly ash, dust, smoke, vapors, noxious, toxic or corrosive matter, or other air pollutants across lot lines in such a concentration as to be detrimental to health, animals, vegetation or property.

G. Heat and Glare

No use shall produce heat or glare in such a manner as to create a nuisance perceptible from any point beyond the lot lines.

H. Water Pollution

No use shall produce erosion or other pollutants in such quantity as to be detrimental to adjacent properties and conflict with water pollution standards established by public agencies.

I. Refuse

No use shall accumulate within the lot, or discharge beyond the lot lines, any waste matter, whether liquid or solid, in violation of applicable public health, safety and welfare standards and regulations.

J. Fire and Explosion Hazards

Materials that present potential fire and explosive hazards shall be transported, stored and used only in conformance with all applicable federal, state, or local ordinances and laws.

Section 153.024 Lot and Yard Requirements

A. Number of Buildings per Lot

In any district, not more than one (1) principal structure and its customary accessory uses shall be located on a single lot of record, with the exception of principal structures designed and platted as a single unit under single ownership of control, such as a multi-family residential project, a shopping center, or combined industrial operations.

B. Corner Lots

On a corner lot, the front lot line shall be the lot line having the shortest dimension along the street right-of-way. The required front yard setback shall apply to each yard that abuts a thoroughfare.

C. Yard Encroachments

No portion of a principal structure, whether open or enclosed, including garages, porches, carports, balconies, roofs, or platforms above normal grade level, shall project into any minimum front, side or rear yard. Accessory structures may not be located closer than five (5) feet to the side and rear property lines in any district.

D. Vision Clearance Areas

No structure or improvement, including landscaping or signs, shall be erected, placed, planted, allowed to grow, or maintained so as to interfere with a vision clearance area between a height of three (3) feet and ten (10) feet above the center line grades of the intersecting street, driveway, or alley. A vision clearance area shall be established for all streets, whether public or private, in one (1) of the following manners:

1. Corner Lots

The clear sight triangular area is formed by the street right-of-way lines and the line connecting points twenty-five (25) feet from the intersection of such streets right-of-way lines, or in case of a round or cut property corner, from the intersection of the street right-of-way lines extended; or

2. Lots Adjacent to a Railroad Crossing

The clear sight triangular area is formed by the side lot line coterminous with the railroad right-of-way, the street right-of-way line, and the line connecting points twenty-five (25) feet from the intersection of such lines; or

3. Lots with a Driveway, Abutting an Alley or Driveway

The two clear sight triangular areas are formed by the street right-of-way line, both sides of either the alley right-of-way or of the surface edge of the driveway, and the line connecting points ten (10) feet from the intersection of the street right-of-way line and driveway or alley lines extended.

E. Side and Rear Yard Requirements for Non-residential Uses Abutting Residential Districts

Non-residential buildings or uses shall not be located nor conducted closer than forty (40) feet to any lot line of a residential district except that the minimum yard requirements may be reduced to fifty percent (50%) of the requirement if acceptable landscaping or screening, which must be approved by the Planning Director, is provided. Such Screening shall be a masonry or solid fence between four and eight feet in height, maintained in good condition and free of all advertising or other signs; adequate landscaping; or a combination of fence and landscaping planted on the residential side of the fence. Landscaping provided in lieu of a wall or fence shall consist of a strip of land not less than twenty (20) feet in width planted with an evergreen hedge or dense planting or evergreen shrubs not less than four (4) feet in height at the time of planting. In order not to obscure traffic visibility either type of screening shall not exceed three (3) feet in height in any required front yard setback for the abutting residential district. When used in combination, the width of the required landscaping buffer and the number of plantings may be reduced by half, provided the fence is opaque (solid) and constructed of a material that is compatible with the principle non-residential building/use.

F. Bulk Use Standards

The minimum lot area, minimum width of lot, minimum depth of front yard, minimum width of each side yard, and minimum depth of rear yard for each district shall be as follows:

Table 1 Bulk Use Standards Matrix

Bulk Use Standard	Zoning District											
	C-1	SC	A-R	R-1	R-2	R-3	TTP	B-1	B-2	B-3	I-1	I-2
Minimum Lot Size												
Single-family with sewer (sq ft)	80,000	N/A	20,000	8,500	7,000	6,000	217,800	3,500	6,000	9,000	N/A	N/A
Per unit with sewer (sq ft)	N/A	N/A	N/A	N/A	3,500	**	N/A	3,000	6,000	9,000	20,000	80,000
Without sewer (sq ft)	80,000	N/A	43,560	43,560	43,560	43,560	43,560	As determined by County Health Department				
Minimum Lot Dimensions												
Width (feet)	200	N/A	250	60	50	50	***	30	40	70	100	200
Minimum Yard Setback Requirements												
Minimum Front Yard Setbacks												
Principal Structure (feet)	40	N/A	100	25	25	20	***	0	20	20	30	40
Accessory Structure (feet)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Minimum Rear Yard Setbacks												
Principal Structure (feet)	20	N/A	50	5	5	5	***	0	10	10	10	20
Accessory Structure (feet)	10	N/A	50	5	5	5	***	0	5	5	5	10
Minimum Side Yard Setbacks												
General (ft)	20	N/A	50	5	5	5	***	0	5	5	10	20
Maximum Structure Height												
Principal Structure (feet)	35	N/A	35	35	35	55	35	55	55	55	55	55
Accessory Structure (feet)	18	N/A	18*	18	18	18	18	18	18	18	18	18
Maximum Lot Coverage												
Primary + Accessory Structures (% of gross lot area)	As determined by the Storm Water Utility Superintendent											

* Agriculturally related accessory uses shall be exempt from the minimum height requirements established by this Ordinance.

** R-3 Minimum Lot Size per Unit - 6,000 sq ft minimum plus an additional 2,000 sq ft for each dwelling unit in excess of three dwelling units. The minimum lot size for two-unit structures with sewer shall be 3,500 square feet.

*** Refer to Section 153.029, Travel Trailer Parks, in the Crawfordsville Zoning Ordinance, as amended from time to time.

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Section 153.025 Floor Area

No residential structure, except one-bedroom and two-bedroom apartments shall be erected or altered so that its floor area (occupied space) is less than nine hundred and fifty (950) square feet. One- and two-bedroom apartment structures shall have a minimum of five hundred (500) square feet of occupied space per unit.

Section 153.026 Height Regulations

No structure shall exceed the maximum height requirements as prescribed by the Bulk Use Standards Matrix. In seeking a development standard variance for height restrictions, the Board of Zoning Appeals must confirm the following: all front and side yard depths are increased a minimum of one (1) foot for each additional foot of height; and/or the structure does not constitute a hazard to an established airport; and/or the structure is in the "B-1" district and provided with adequate fire suppression systems.

Section 153.027 Off-Street Parking and Loading

A. Off-Street Parking

Off-street parking facilities shall have definitely designated stalls; adequate ingress and egress; adequate aisles to provide safe, efficient access to spaces; adequate turning and maneuvering space and appropriate means for access to street or alley, so as to minimize interference with traffic movement. An Improvement Location Permit is required for any off-street parking lot. Parking calculations shall be submitted with any Improvement Location Permit for off-street parking. In granting a permit, the Parking Schedule (refer to Appendix B) and the following tables hereby establish the minimum parking requirements:

Table 2: Off-street parking space specifications

Angle	Space Width (ft.)	Space Depth (ft.)	Aisle Width (ft.)
Parallel	9	22	12
Right Angle	9	20	24
60° angle	9	18	18
45° angle	9	17	18
Compact Car	8	15	18

Table 3: ADA Accessible Spaces Requirements

Total Number of Off-Site Parking Spaces in Lot	Minimum Number of ADA Accessible Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of Total
1,001 and over	20, plus 1 for each 100 over 1,000

Table 4: Drive-Thru Stacking

Drive-Thru Type	Minimum Stacking Requirements	Measured From
Bank	4 (per bank teller lane)	Teller or Window
Drive-Thru Restaurant	6	Order Box
Drive-Thru Restaurant	4	Order Box to Pick-up Window
Car Wash, Automatic	6 (per stall)	Entrance
Car Wash, Self-service	3 (per stall)	Entrance
Gasoline Pump Island	2 (per pump)	Pump Island

1. All off-street parking lots of more than five (5) stalls shall be graded for property drainage and surfaced in accordance with the Storm Water Ordinance.
2. All lighting used to illuminate an off-street parking lot shall be non-polluting and arranged so as to reflect the light away from adjoining premises.
3. Whenever a parking lot extends to a property line, wheel stops or other suitable devices, as determined by the Planning Director, shall be installed to prevent any part of a parked vehicle from extending beyond the property line. Suitable devices may include, but are not limited to, fencing or landscaping.
4. Wherever appropriate, the Planning Director may, on a case-by-case basis relax the minimum off-street parking standards of a given use with the intention of allowing for shared parking. Intention of shared parking must be provided in writing by the petitioner and the owner of the parking which is intended to be shared.

B. Off-Street Loading

Every building which requires the receipt or distribution vehicles of material or merchandise shall provide off-street loading berths of a size and arrangement appropriate for the types of vehicles utilizing this space. In no case will loading be permitted within public right-of-way, except an alley. In granting an Improvement Location Permit, the following table shall be used as a guide to determine the required number of loading spaces:

Table 5: Off-Street Loading Spaces Requirements

Use	Floor Area (sq. ft.)	Minimum Number of Loading Spaces Required
Manufacturing, distribution, wholesaling, storage, warehouses, and similar uses	10,000 to 25,000	1
	25,001 to 60,000	2
	60,001 to 100,000	3
	Each 50,000 above 100,000	1
Office buildings, hotels and motels, retail sales, and similar uses	10,000 to 6,000	1
	60,001 to 100,000	2
	Each 50,000 above 100,000	1
All other uses	Per the Plan Commissions Discretion	

Note: Under 10,000 sq.ft. no loading spaces are required

Section 153.028 Mobile and Manufactured Homes (Individual and Subdivisions)

It is the intent of the City of Crawfordsville for mobile and manufactured homes to be permitted only within an approved Mobile Home Park or Subdivision. Mobile and manufactured homes are expressly prohibited from being located sporadically throughout the City as infill development. The following provisions are for the siting of an individual home within a park or subdivision, and the siting of an entire mobile/manufactured home park or subdivision.

A. Standards for Individual Placement

1. Location

The establishment, location and use of manufactured homes, including mobile homes, as individual scattered-site residences shall be permitted in any zone permitting dwelling units subject to requirements and limitations applying generally to such residential use in the district and provided such homes shall meet the following requirements and limitations:

- a. The home shall meet all requirements applicable to single-family dwellings and possess all necessary improvement location, building and occupancy permits and other certifications required by the code;
- b. The home shall be larger than nine-hundred and fifty (950) square feet of occupied space or meet the minimum square footage requirements for the appropriate zone;
- c. The home shall be attached and permanently anchored to a permanent foundation in conformance with the regulations in the Indiana One-and-Two-Family Dwelling Code and with the manufacturer's installation specifications;

2. Placement With Permit

Mobile homes, as well as any manufactured homes, that do not meet the terms of paragraph (1), shall be permitted within the City of Crawfordsville only after receiving a special exception use permit.

3. Structural Alteration

Due to its integral design, any structural alteration or modification, proposed for a manufactured or mobile home after it is placed on a site may be allowed only in accordance with current State law.

B. Manufactured and Mobile Home Subdivisions

1. Mobile home subdivisions, where permitted, shall be developed in accordance with the Mobile Home Parks Act of 1955, as amended; the Indiana State Board of Health Regulations, as amended; and the requirements of this Section.
2. The minimum area of a mobile home subdivision shall be five (5) acres.
3. Each mobile home site within the mobile home subdivision shall have a minimum area of three thousand six hundred (3,600) square feet (excluding roadways), or three (3) times the homes living space, whichever is greater.
4. Each mobile home site shall have a minimum width of forty (40) feet.
5. Parking spaces shall be adequate for the use and shall be located conveniently near each manufactured home site. Guest parking spaces or overflow parking spaces shall be provided as regulated in Rule 410 IAC 6-6 and its subsequent amendments.
6. Not less than ten percent (10%) of the gross area of the mobile home subdivision shall be improved for recreational activities for the residents of the subdivision.
7. The mobile home subdivision shall meet all requirements of the Subdivision Control Ordinance.
8. Coin-operated laundries, laundry and dry-cleaning pick-up stations and other commercial convenience establishments may be permitted in mobile home subdivision provided:

- a. They are subordinate to the residential character of the subdivision;
 - b. They are located, designed and intended to serve only the needs of persons living in the subdivision;
 - c. The establishments and the parking areas related to their use shall not occupy more than 10% of the total area of the subdivision; and
 - d. The establishments shall present no visible evidence of their commercial nature to areas outside the subdivision.
9. Each mobile home site shall be provided with a stand consisting of either a solid concrete slab or two (2) concrete ribbons of a thickness and size adequate to support the maximum anticipated loads during all seasons. When the concrete ribbons are used the area between the ribbons shall be filled with a layer of crushed rock.
 10. All Mobile and Manufactured Homes placed on a subdivision site shall be properly anchored to the ground in accordance with manufacture's specifications or the ANSI/NFPA 501 A Installation Standards.
 11. Mobile home subdivisions shall be subject to major subdivision review as established in the Subdivision Control Ordinance.
 12. Each subdivision shall be equipped with a structure of adequate construction to provide shelter for residents from tornados and other sever weather conditions. The shelter shall be of sufficient size to accommodate a population equal to 2.5 persons per home site.

Section 153.029 Travel Trailer Parks

Travel Trailer Parks are permitted in any district, subject to rezoning (Planned Unit Development) by the Plan Commission, provided that it complies with the requirements of this Section:

- A. Approval by the State and County
Said travel trailer park (TTP) shall be subject to the approval of the Indiana State Board of Health and the County-City Health Sanitarian, to include but not limited to regulations concerning site review, drainage, sewage and waste disposal, water supply, stream and road setback lighting, and the like.
- B. Park Size (minimum and maximum)
The minimum lot area per park shall be five (5) acres, with a maximum of twenty (20) acres.
- C. Park Ingress and Egress
No TTP shall be located which does not have direct access to a county, State or Federal highway. No entrance or exit shall be through a residential district, nor shall it require movement of traffic from the park through a residential district.
- D. Occupancy Limitations
Spaces in the TTP shall be rented by the day or week only, while occupancy of such space shall not exceed thirty (30) days during a sixty (60) day period of time.
- E. Mobile Home Prohibited
Mobile Homes shall not be permitted in the TTP district; however, the office of the manager may be a Manufactured Home Type I or II.
- F. Incidental Structures
Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to the operation of a TTP are permitted as accessory uses, provided that:
 1. Such establishments and parking areas primarily related to their operation shall not occupy more than 10% of the total area of the park.

2. Such establishments shall be restricted in their use to occupants of the park.
3. Such establishments shall present no visible evidence of their commercial character, which would attract customers other than occupants of the park.

G. Proximity to a Public Right-of-Way

No space shall be so located that any part intended for occupancy for sleeping purposes shall be within fifty (50) feet of the right-of-way line of any freeway, express way or collector street, or within twenty-five (25) feet of the right-of-way of any minor street.

H. Proximity to a Property Line

Travel trailers and stands must be set back at least fifteen (15) feet when adjacent to a property line and twenty-five (25) feet from any principal structure.

I. Distance between Trailers

There shall be at least twenty-five (25) feet between trailers.

J. Access Road Regulations

Access roads shall have the approval of the City Engineer and Street Commissioner, and shall meet the minimum standards set forth in the Subdivision regulations. All access roads shall be of a dustless and durable surface.

K. Internal Street System

The internal street system shall have a right-of-way of not less than twenty-five (25) feet for two-way and eighteen (18) feet for one-way traffic, and the radius on curves shall be forty (40) feet as required. All internal roads shall be of a dustless and durable surface. The internal street system in a travel trailer park shall be privately owned, constructed and maintained, and shall be designed for safe and convenient access to all spaces and to facilities for common use by park occupants.

L. Landscaping Requirement

The travel trailer park and its boundaries shall be adequately landscaped to provide a park-like appearance as determined by the Plan Commission prior to approval.

M. Minimum number of Off-Street Parking Spaces

There shall be provided at least one (1) off-street parking space for each travel trailer space.

N. Shelter Requirement

Each park shall be equipped with a structure of adequate construction to provide shelter for occupants from tornados and other sever weather conditions. The shelter shall be of sufficient size to accommodate a population equal to 2.5 persons per site.

Section 153.030 Home Occupations

The standards for home occupations are intended to insure: a) that the home occupation is compatible with the other permitted uses and the overall residential character of the area, and b) that the home occupation is clearly secondary and incidental to the residential use of the principal building. In addition to the use as a secondary or incidental use in relation to the residential use of the principal building, a home occupation may be permitted as a special exception use if it complies with the following:

A. Operation

The home occupation shall be carried on by a member of the family residing in the dwelling unit with not more than one (1) employee who does not reside at the residence.

B. Character

All home occupations shall be undetectable from outside the dwelling, and in no way shall the appearance of the structure be altered to cause the premises to differ from its residential character. The home occupation shall be carried on wholly within the principal or permitted accessory structure.

C. Outside Storage

There shall be no outside storage of any kind related to the home occupation.

D. Traffic and Parking Generation

No home occupation shall generate the need for commercial vehicles for the delivery of materials to, or the pick-up of finished products from, the premises other than commercial vehicles which are typically associated with residential delivery, such as postal or parcel service vehicles. In no instance shall a home occupation create adverse traffic or parking problems.

E. Hours of Operation

The operation of the home occupation shall begin no earlier than six o'clock (6:00) A.M. and end no later than ten o'clock (10:00) P.M., unless otherwise stated in the special exception use permit issued by the Board of Zoning Appeals.

F. Effects on the Fire Rating

In no instance shall a home occupation alter or involve construction features, or the use of electrical or mechanical equipment, that would change the fire rating of the principal structure or the fire district in which the principal structure is located.

G. Signage

Refer to the Signage Standards prescribed by this Ordinance.

Section 153.031 Adult Entertainment Businesses

A. Location

The establishment of any adult entertainment business shall be prohibited if such business is located:

1. Within seven hundred fifty (750) feet of any other such adult entertainment businesses; or
2. Within seven hundred fifty (750) feet of the property line of any church, public or parochial school, library, public park, or county courthouse, or the boundary line of any residential zoning district or agriculture zoning district within the jurisdiction of the Crawfordsville Plan Commission.

B. Distance between two Adult Entertainment Businesses

The distance between one adult entertainment business and another adult entertainment business shall be measured in a straight line, without regard to intervening structures or objects, from the closest property line of each such business.

C. Distance between an Adult Entertainment Business and Institutional Uses

The distance between an adult entertainment business and any church, public or parochial school, library, public park, county courthouse, residential zoning district or agriculture zoning district shall be measured in a straight line, without regard to intervening structures or objects, from the closest property line of the adult entertainment business to the nearest property line of the church, public or parochial school, library, public park or county courthouse, or the nearest boundary line of the residence zoning district or agriculture zoning district.

D. Adult Entertainment Businesses as a part of an Integrated Center

If any adult entertainment business is part of or included within an integrated center, only the portion of said center or leased space occupied by such adult entertainment business shall be included in determining the closest property line of said adult entertainment business.

Section 153.032 Confined Feeding Operations and Concentrated Animal Feeding Operations

A. Purpose

The purpose of this Section is to allow for the siting of a Confined Feeding Operations (CFO) or a Concentrated Animal Feeding Operation (CAFO) as prescribed by the Official Schedule of Uses.

B. General Standards

In addition to meeting all regulatory standards established by the Indiana Department of Environmental Management, and any other regulatory agency, the following general standards shall also be met:

1. Property Notification

Petitioner shall be required to notify property owners within two thousand five hundred (2,500) feet of the proposed facility of their application.

2. Minimum Lot Size

CFO or CAFO shall be located on a lot with a minimum size of forty (40) acres.

3. Minimum Setbacks

A CAFO or CFO structure shall comply with the following minimum setback requirements:

- a. A minimum of one hundred (100) feet from all property lines; and
- b. A minimum of five hundred (500) feet from the nearest corner of any residential structure; and
- c. A minimum of one thousand five hundred (1,500) feet from any residential zoning district, which shall include all Agricultural-Residential Districts (A-R).

Section 153.033 Sanitary Landfills

A sanitary landfill may be permitted as a special exception use as indicated on the *Official Schedule of Uses*. The following standards and regulations shall apply:

A. Accessibility

The landfill shall be accessible by collector or major thoroughfare roads and without excessive travel over residential streets.

B. Review

The application and supporting information is reviewed by the City Engineer.

C. Soil Suitability

A landfill may only be located only on soils having slight or moderate limitations.

D. Landscape Buffer

At a minimum, a one hundred (100) foot undisturbed and landscaped buffer shall be provided along the boundaries of the landfill. In addition, it shall be screened and planted so that it is not visible from any residential, commercial or industrial structure or from any public street.

E. Proximity to Surface Water Bodies

The landfill shall not be closer than two hundred (200) feet to a flowing stream.

F. Fencing

The landfill shall be suitably fenced to deny animals access to the premises and to prevent the spread of debris and other materials.

G. Storm Water Drainage

The disposal site shall be graded and drained in accordance with the Crawfordsville Stormwater Drainage Control Ordinance, as amended from time to time.

Section 153.034 Wireless Communications Facilities

A. Conditions Necessary for Approval

Applicants shall show a good faith effort in meeting the following necessary requirements in pursuit of establishing a wireless communications facility.

1. The location of a proposed tower is compatible with the vision, goals and objectives of the Crawfordsville Comprehensive Plan.
2. All efforts to co-locate on an existing tower have not been successful in that they are legally or physically impossible.
3. The proposed facility/tower will not unreasonably interfere with the view from any public space, historic building or district, or community gateway.
4. The lowest six (6) feet of the facility/tower will be visually screened by trees, large shrubs, solid walls or fences and/or nearby buildings.
5. The height and mass of the facility/tower does not exceed that which is essential for its intended use, nor is it constructed in a manner to result in needless guy-wire supports.
6. The owner of the wireless communication facility has agreed to permit other persons/cellular providers to attach cellular antenna or other communications apparatus which do not interfere with the primary purpose of the facility.
7. The facility/tower will have a security fence around the facility or tower base, or around the entire lot on which the facility or tower is located.
8. The facility/tower is in compliance with any other applicable local, State, or Federal regulations.

B. Supplemental Information

Prior to the issuance of an Improvement Location Permit, the following supplemental information shall be submitted:

1. A copy of the FAA (Federal Aviation Administration) response to the submitted (Notice of Proposed Construction or Alteration Form (FAA Form 7460-1);
2. Proof of compliance with applicable Federal Communications Commission regulations; and
3. Proof that the tower will be built to manufacturer standards.
4. A copy of the relevant portions of a signed lease which requires the applicant to remove the tower and its associated facilities upon cessation of operations at the site.

Signage Standards and Regulations

With the exception of the exempt signs identified below, a sign permit shall be obtained prior to the erection, construction, enlargement, movement, conversion or other improvement of any sign within the jurisdiction of the Crawfordsville Plan Commission. No sign, billboard, or exterior graphic display shall be permitted in any district except as herein provided. Any sign hereafter erected, placed, installed or otherwise established on any property before obtaining a permit as required by this Ordinance, shall be considered in violation of this Ordinance and is therefore subject to the penalties set forth in the Enforcement Division of this Ordinance.

Section 153.035 Purpose

The purpose of the following signage standards and regulations is to set forth provisions governing the installation and construction of signs and other advertising devices. In addition, it is the purpose of and intent of this division to: recognize the function and importance of signs for the business sector and the City of Crawfordsville; preserve and enhance the character and visual appearance of the City; recognize the integral part played by signs in the overall appearance of the City; provide a reasonable set of controls that will permit and encourage creative and effective signs that adequately identify a business; and, provide standards, guidance and direction for sign users and sign designers as to what constitutes appropriate signage within the jurisdiction of the City of Crawfordsville.

Section 153.036 Permit & Fee Requirements

With the exception of Exempt and Incidental Signs, a sign permit must be obtained from the Planning Department prior to the installation or erection of a sign. All non-exempt, non-incident sign permit applications shall be accompanied by a sign permit fee as prescribed by the *Official Fee Schedule*.

Section 153.037 General Limitations

The following are general limitations for all signs and sign structures, including signs exempt from the sign permit process:

A. Location

1. No sign or sign structure shall be placed on private or public property without the written consent of the owner or agent thereof;
2. No sign or sign structure, other than official highway signs, shall be placed upon, over or in any street or highway right-of-way which includes sidewalks. The right-of-way dimension shall be as determined by the Crawfordsville Street Department;
3. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device;
4. No sign or sign structure shall be located in such a manner as to materially impede the view of any street or highway intersection, or in such a manner as to materially impede the view of the intersection of a street or highway with a railroad grade crossing.
5. No sign shall be permitted which is placed on any curb, sidewalk, post, pole, electrolier, hydrant, bridge, tree or other surface located on a public property, except as otherwise expressly authorized by this Ordinance;

B. Mimicking Traffic Signs and Signals Prohibited

No rotating beam, beacon, or flashing illumination resembling any emergency lights shall be used in connection with any sign display, nor shall any sign make use of the words "Stop," "Look," "Danger," or any other word, phrase, symbol or character in such a manner as to suggest, interfere with, mislead, or confuse motorists;

C. Improper Signs Prohibited

No sign shall bear or contain statements, words or pictures of an obscene, pornographic, immoral character, or which contain advertising matter that is untruthful or that offends public morals or decency.

D. Sign Size

No sign shall have an aggregate surface size greater than five (5) square feet for each foot of width for the principal structure, unless otherwise specified in Section 153.042, Specific Signage Standards, below. Where no principal structure exists, the foregoing limitations shall be computed as though there were such a structure of maximum size permitted on such lot by the applicable zoning district.

Section 153.038 Exempt and Incidental Signs

All exempt signs shall be required to meet all other applicable requirements of this Ordinance. Exempt signs shall only be exempt from the sign permit process. The following exempt signs shall not require a sign permit unless otherwise specified:

A. Changeable Copy

The changing of advertising copy or message on an approved sign such as a theater marquee, or freestanding sign displaying gas station prices, and similar approved signs which are specifically designed for use of replaceable copy. For the purposes of administering and enforcing this ordinance, changeable copy signs shall display a static message rather than a message that imitates movement.

B. Construction Signs

Construction signs shall be exempt, provided that they comply with the following provisions:

1. Location. No more than one sign shall be allowed per driveway entrance.
2. Area. No such sign shall exceed thirty two (32) square feet in area.
3. Height. No such sign shall exceed ten (10) feet in height.
4. Removal. Construction signs shall be removed upon issuance of the first Certificate of Occupancy.

C. Sign Maintenance

Painting, repainting, cleaning or other typical maintenance and repair activities, of either the sign or the sign's structure, or a change in copy not meeting the provision discussed in Section 153.038 A, Changeable Copy as an exempt and incidental sign, above.

D. Address Signs

Address signs shall be permitted and exempt from the sign permit process provided they are less than two (2) square feet.

E. Business Identification Signs

A business identification sign on, near, above beside a public entrance or service entrance shall be permitted in a business, commercial or industrial zoning district, and is hereby exempt from the sign permit process provided that the sign states only the street address number and name of the business or building, that the sign is mounted flush against the wall, and that the sign does not exceed four (4) square feet.

F. Flags

Flags of any country, state, or unit of local government shall be permitted and exempt from the sign permit process provided that:

1. Do not exceed sixty (60) square feet;
2. That no flagpole is greater than thirty (30) feet in height for residential districts and forty (40) feet in height for non-residential districts; and
3. That all flagpoles meet all of the setback requirements for the applicable district.

G. Historical Identification Signs

Signs for sites designated by the Federal, State or local governments as historic locations, sites or landmarks, shall be permitted and exempt from the sign permit process provided that such signage does not exceed twelve (12) square feet.

H. Integral Signs

Name of building, date of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent type construction, shall be permitted and exempt from the sign permit process provided that it is made an integral part of the structure.

I. Parking Lot Signs

Parking lot signs shall include signs which are placed or displayed in parking lots to supply information to people using such lots, including such information regarding liability, entry, exit, and traffic movement information, as necessary to facilitate the safe movement of vehicles served by the parking area. This Section includes all handicap signage as well. Signs for public and private parking lots shall be permitted and exempt from the sign permit process provided that:

1. Such a sign is relevant to the business or operation to which the parking lot is related;
2. Such a sign is not used for advertising purposes;
3. The sign is setback a minimum three (3) feet from the right-of-way;
4. Such a sign does not exceed six (6) feet in height, unless there are extenuating circumstances requiring identification of handicapped stall locations, as a result of changes in topography, or ground level, that do not permit handicapped persons visibility of such signs upon entry into the parking lot;
5. That the sign area does not exceed four (4) square feet; and
6. Such signs are installed so as to not present a hazard to traffic entering or leaving the premises.

J. Private Traffic (Directional) Signs

Signs directing traffic onto or within a premises shall be permitted and exempt from the sign permit process provided that:

1. Such a sign is setback a minimum of three (3) feet from any right-of-way or aisle;
2. Such a sign is no greater than three (3) feet in height;
3. Such a sign is no greater than six (6) square feet in area;
4. Signs that are illuminated comply with all applicable provisions of this Ordinance.

K. Public Signs

Signs of a noncommercial nature and in the public interest erected by or on the order of public officer(s) in the performance of the officer's public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs directing the traveling public to public and quasi-public facilities, or signs on public buildings or structures and the like shall be permitted and exempt from the sign permit process.

L. No Trespassing Signs

No trespassing signs, warning signs (e.g. "Beware of Dog") and other such signs regulating the use of property shall be permitted and exempt from the sign permit process provided that such sign does not exceed two (2) square feet in area.

M. Residential Name Plates

In addition to each dwelling unit displaying a house number plate for identification purposes, a name plate identifying a single-family or multi-family residential dwelling unit shall be permitted and exempt from the sign permit process provided that:

1. Such a sign states nothing other than the name and/or address of the occupant; and
2. Such a sign does not exceed two (2) square feet in area.

N. Social or Charitable Organizations

Signs located off-site and indicating the names and locations of churches, charitable organizations, and community service organizations shall be permitted and exempt from the sign permit process provided that:

1. The sign is located off of the public right-of-way as determined by the City of Crawfordsville Street Department;
2. The sign does not obstruct the view of pedestrians or vehicular traffic; and
3. The sign is approved by the Board of Public Works.

O. Window Signs

Window signs shall be permitted and exempt from the sign permit process provided that no window sign cover more than twenty five (25) percent of the window area. No message painted on a window shall cover more than seventy five (75) percent of the window area.

P. Garage Sale Signs

Signs advertising the sale of miscellaneous household items for the purpose of a residential garage or yard sale shall be permitted and exempt from the sign permit process provided that:

1. The sign does not exceed four (4) square feet in area;
2. The sign(s) is not posted earlier than one (1) week in advance of the sale;
3. The sign is removed within forty-eight (48) hours of the close of the sale; and
4. Per IC 35-43-1-2, the sign is not posted on a utility pole.

Q. Political Campaign Signs

Political campaign signs shall be permitted and exempt from the sign permit process, provided that said signs meet all other applicable requirements of this Ordinance.

R. Real Estate Signs

Real estate signs shall be permitted and exempt from the sign permit process provided that:

1. There is no more than one (1) sign advertising the sale, rental or lease displayed on the premises in which it is intended to advertise;
2. The sign does not exceed nine (9) square feet in area for residential districts and thirty-two (32) square feet in any other district;
3. The sign is removed within fourteen (14) days of the sale, rental or lease;
4. The sign is setback from the right-of-way no less than ten (10) feet;
5. The sign does not reflect advertising or promotional material other than to indicate the party listing the property for sale, rental or lease; and
6. Directional signage for an open house shall not exceed nine (9) square feet in area; shall not be located in the public right of way; shall be erected no more than seventy-two (72) hours prior to the open house; and, shall be removed within six (6) hours of the end of the open house. For the purposes of administering and enforcing this Ordinance, a "house for sale sign" shall not be interpreted as directional signage for an open house.

S. Barber Poles

Rotating or stationary cylindrical poles of the traditional red, white and blue spiral striped design identifying the premises as a barber shop is exempt provided that:

1. The size does not exceed two and one-half (2 ½) feet in length;

2. The sign is attached by brackets to the barber shop in which it is intended to identify;
3. The top of the pole does not extend above the roofline of the barber shop in which it is intended to identify; and
4. If illuminated, the sign must comply with the illumination provisions of this Division.

Section 153.039 Specific Limitations

The following are specific limitations for all signs and sign structures:

A. Lighting and Color

With the exception of an approved changeable copy sign or electronic changeable copy sign, no sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness or color, or that gives the illusion of changing light intensity, brightness or color.

B. Illuminated Signs

1. All illuminated signs must meet the standards as specified in the National Electrical Code, as adopted and amended by the State.
2. Signs that are only partially illuminated shall meet all electrical requirements for that portion that is illuminated.
3. The full number of illuminating elements thereof shall be kept in satisfactory working condition or immediately repaired or replaced.
4. The direct non-reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways.
5. No light shall shine directly onto adjacent property. The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to the surrounding areas.

C. Electrical Wiring

1. All electrical wiring shall be in conduit and not exposed to the elements or external streets in any way.
2. All electrical signs shall have a disconnecting switch located in a readily accessible place.

Section 153.040 Calculating Sign Area

A. Surface Area

The surface area of a sign shall be that area which is enclosed by the smallest rectangle that can be used to enclose the sign, excluding the supporting structure which does not form part of the sign proper or of the display.

B. Double-Faced Signs

When two identical sign faces are placed back to back so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces. For the purposes of this Ordinance, a sign which has two or more sides visible from a given vantage point, each side shall be considered a separate sign.

Section 153.041 Calculating Sign Height

The height of a sign shall be the distance measured from the average surface grade surrounding the base of a sign or the average surface grade of the road bed nearest the base of the sign, whichever is higher, to the top of the highest element.

Section 153.042 Specific Signage Standards

A. Accessible Parking Spaces Signage

Signs for accessible parking spaces shall be a minimum of five and one half (5 ½) feet above ground level so as not to be obscured by parked vehicles.

B. Home Occupation Name Plate

The nameplate may display the name of the occupant and/or the name of the home occupation. It shall not exceed two (2) square feet in area. It shall not be illuminated. It shall be attached in a manner that causes it to be flush or flat against the structure, or simply visible through a window.

C. Subdivision Signs

Subdivision signs shall be permitted at each street entrance, provided that the following provisions are met:

1. Display

Only the name of the subdivision or Planned Unit Development shall be included on the sign(s)

2. Quantity

No more than two (2) subdivision signs may be displayed at each entrance if integrated into a wall; otherwise, only one (1) such sign shall be permitted at each entrance.

3. Area

No such sign shall exceed thirty-two (32) square feet in area.

4. Height

No such sign shall exceed six (6) feet in height.

5. Location

The sign(s) shall be located at a minimum of ten (10) feet from the right-of-way unless integrated into a median.

D. Apartment/Multi-Family Residential Identification Signs

Signs identifying an apartment or multi-family residence or complex name and/or address shall be permitted, provided that the following provisions are met:

1. Display

Apartment/multi-family residential identification signs shall be void of any and all promotional material and/or information.

2. Quantity

Only one (1) such sign may be displayed per street frontage

3. Area

No such sign shall exceed thirty-two (32) square feet in area.

4. Height

No such sign shall exceed six (6) feet in height.

5. Location

The sign(s) shall be located at a minimum of ten (10) feet from the right-of-way unless integrated into a median.

E. Institutional Signs

Signs identifying the premises of, or announcing the activities conducted by a church, school hospital, nursing home, or similar institutional facility in a residential district shall be permitted, provided that the following provisions are met:

1. Quantity

Only one (1) such sign may be displayed per street frontage of a single property.

2. Area

The aggregate size of all institutional signs on a lot shall not exceed thirty-two (32) square feet in area.

3. Height

The height of any freestanding institutional sign shall not exceed six (6) feet.

4. Location

The sign(s) shall be located at a minimum of 10 feet from the right-of-way.

F. Free-Standing Individual Business Signs

One (1) free-standing individual business sign shall be permitted in all non-residential districts provided that the following provisions are met:

1. Pole or Pylon Signs

Pole or Pylon signs shall not exceed the building height, or thirty-five (35) feet in height, whichever is less. The maximum surface area of such a sign shall not exceed one hundred (100) square feet, per side.

2. Monument Signs

Monument signs shall not be higher than eight (8) feet in height, and the maximum surface area of such sign shall not exceed one hundred (100) square feet, per side.

3. Unified Center Signage

Shopping center under common ownership or management with shared parking, and with or without out lots, shall only be allowed to construct a unified-center sign rather than individual free-standing business signs. All other signage for the development shall be as prescribed by this Ordinance. A unified center sign may be approved, provided that it is in compliance an approved site development plan. The following minimum standards shall also apply:

- a. Display. Such signs shall indicate only the name of such center and the name and/or type of business of the occupants of the center.
- b. Free-Standing Unified Center Signs. Free-standing unified center signs should be monument style signs. In the event that a monument style sign is not feasible, as determined by the Planning Director, a pole or pylon sign may be used instead, provided that it is approved as part of a site development plan and meets the following minimum standards:
 - (1) Height. In no circumstances shall a free-standing unified center sign exceed the building height, or thirty five (35) in height, whichever is the lesser of the two.
 - (4) Surface Area. The maximum surface area of such a sign shall not exceed two hundred (200) square feet.
- c. Wall-Mounted Unified Center Signs. Wall-mounted signs shall be permitted for unified centers in non-residential districts, provided that the following provisions are met:
 - (1) Area. The total area of the unified center sign shall be limited to ten percent (10%) of the façade of the building, or forty (40) square feet, whichever is less.
 - (2) Individual Sign Areas. Each portion of the sign identifying an individual business shall not exceed six (6) square feet in sign area.
 - (3) Location. A wall-mounted unified sign shall not extend above the roofline of the building on which it is located.

G. Electronic Changeable Copy Signs

Electronic changeable copy signs must meet the following standards.

1. Location

In any district, the sign must be located on the site of the use identified or advertised by the sign. No electronic changeable copy sign shall be allowed in a historic district;

2. Setback from residential

The leading edge of the sign must be a minimum distance of one hundred (100) feet from an abutting residential district boundary;

3. Setback from historic district

The leading edge of the sign must be a minimum distance of one hundred (100) from an abutting historic district boundary;

4. Setback from other electronic changeable copy, electronic graphic display or video display signs

Electronic changeable copy signs must be separated from other electronic changeable copy signs, electronic graphic display signs or video display signs by at least thirty-five (35) feet;

5. Orientation

When located within one hundred and fifty (150) feet of a residential use located in a residential district, or a historic district, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot;

6. Duration

In any non-residential, non-historic district, any portion of the message must have a minimum duration of eight seconds and must be a static display. No portion of the message may flash, scroll, twirl, change color, fade in or out or in any manner imitate movement; and

7. Audio or pyrotechnics

Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.

Section 153.043 Sign Maintenance

All signs, including legally nonconforming signs, and components of a sign or sign structure shall be kept in good repair and be in safe, neat, clean and attractive condition. Failure to comply with this subsection will result in a civil zoning violation.

Section 153.044 Sign Inspection

Signs for which a permit is required are subject to periodic inspections by the Planning Director in order to determine compliance with the provisions of this Ordinance. In the event that the Planning Director discovers a violation, the Planning Director shall provide the owner with a written notice of the violation, in accordance with this Ordinance.

Section 153.045 Sign Removal

The Planning Director may order the removal of any sign erected or maintained in violation of this Ordinance. A sign found to be in violation of this Ordinance shall be removed by the owner or lessee of the premises upon which the sign is located. If within ten (10) business days the owner or lessee fails to remove the sign, the Planning Director may authorize the removal, or otherwise cause to be removed, the sign, at cost to the owner or lessee.

Section 153.046 Temporary Signs

All temporary signs shall require issuance of a temporary sign permit. Said temporary signs shall also be in accordance with the provisions below:

- A. Distance from a Public Right-of-Way
No temporary sign shall be located less than ten (10) feet from any public right-of-way;
- B. Obstruction of Vehicular Traffic Prohibited
No temporary sign shall obstruct the flow or visually impair vehicular traffic on any established right-of-way;
- C. Distance from a Residential Property Line
No temporary sign shall be located closer than twenty (20) feet from an adjoining residential property;
- D. Sign Face
No temporary sign shall have a face which exceeds thirty-two (32) square feet;
- E. Illumination
No temporary sign shall be illuminated, or have blinking lights or arrows; and
- F. Duration of Use
The use of temporary signs shall not exceed a maximum of ten (10) calendar days, up to three (3) display periods within a given calendar year with the exception of social and charitable organization signs which may not exceed a maximum of fourteen (14) calendar days, up to three (3) display periods in a given calendar year.

Section 153.047 Prohibited Signs

With the exception of a lawfully placed directional open house sign, off-premise signs are hereby expressly prohibited throughout the jurisdiction of the Crawfordsville Plan Commission.

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Lighting Standards

Section 153.048 Lighting Plan Requirement

Wherever a site plan review is required by this or any other ordinance, a lighting plan shall be required. Failure to implement the approved lighting plan shall be a civil zoning violation. The lighting plan shall be drawn to scale and shall consist of photometric mapping indicating the distribution and foot-candles of all proposed lighting fixtures and structures (building mounted and free-standing), including the overall height, type of lamp and luminaries, and property boundary lines.

Section 153.049 Residential Neighborhoods

Lighting standards, which includes the pole, luminaries and all other necessary parts and equipment, shall be placed, at a minimum, every two hundred fifty (250) feet on property lines staggered on opposite sides of the street and at intersections, curves, cul-de-sacs, and entrances to any residential development. .

Section 153.050 Non-residential Developments

All lighting shall be directly upon the premises and shall not be detrimental to adjacent properties. For non-residential uses along arterial roads, the illumination shall be 1.2 foot-candles, for collector streets 0.8 foot-candles, and for local streets 0.6 foot-candles as measured at the property line. In instances where a non-residential use abuts a residential use, the light at the property line shall not exceed 0.1 foot-candles of illumination.

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Administration and Enforcement

It shall be the duty and right of the Planning Director to enforce the provisions of this Ordinance in the manner and form and with the powers provided by this Ordinance and the laws of the State of Indiana. The Planning Director or his/her designee, subject to the procedures, standards, and limitations of this Ordinance may, by written order, render interpretations, including use interpretations, of the provisions of this Ordinance and of any rule or regulation issued pursuant to it.

Section 153.051 Administrative Bodies and Officials

A. Plan Commission

1. Establishment

There is hereby established an Advisory Plan Commission as authorized by IC 36-7-4-200.

2. Membership

As prescribed by the 200 Series of IC 36-7-4, membership of the Crawfordsville Advisory Plan Commission is as follows:

- a. One (1) member appointed by the city legislative body from its membership.
- b. One (1) member appointed by the park board from its membership.
- c. One (1) member or designated representative appointed by the city works board.
- d. The city civil engineer or a qualified assistant appointed by the city civil engineer.
- e. Five (5) citizen members, of whom no more than three (3) may be of the same political party, appointed by the city executive.
- f. Two (2) additional citizen members who must reside in the unincorporated area and are not of the same political party, appointed by the executive of the County.

3. Terms

As prescribed by IC 36-7-4-200 et seq., all citizen members shall serve four- (4) year terms while all required members shall be appointed for one- (1) year terms.

4. Powers and duties

The powers and duties of the Crawfordsville Advisory Plan Commission shall be in accordance with the 400 Series of IC 36-7-4.

B. Board of Zoning Appeals

1. Establishment

There is hereby established a single division Board of Zoning Appeals (BZA) as authorized by IC 36-7-4-900.

2. Membership

The BZA shall consist of five voting members, as follows:

- a. Three citizen members appointed by the Mayor, one of who must be a member of the Plan Commission while the other two must not be members of the Plan Commission.
- b. One citizen member appointed by the Council, who must not be a member of the Plan Commission.

- c. One citizen member appointed by the Plan Commission, who must be a member of the Plan Commission other than the member appointed under (1) above.

3. Terms

After the initial terms established by IC 36-7-4-900, the terms of the BZA members shall be for four years. There are no term limits for BZA members.

4. Powers and duties

The duties of the BZA are specifically governed and enumerated by IC 36-7-4-900. Generally, the BZA shall consider petitions for appeals, special exceptions and variances.

C. Technical Advisory Committee

1. Establishment

A Technical Advisory Committee (TAC), also referred to as the pre-development committee, is hereby established to assist the Plan Commission in the review of development plans for technical conformity. A TAC meeting is required for any new commercial development, major subdivisions, and other large scale residential developments. A TAC meeting may be required for commercial remodels or additions from time to time, in which case the Planning Director shall determine if a TAC meeting is required on a case-by-case basis. Because the TAC is strictly a committee and does not have the authority to take any official action, the Committee shall not be bound to holding public meetings.

2. Membership

Committee membership shall be at the request of the Planning Director. The Planning Director may request the assistance of members of public and semi-public local and state departments, agencies and organizations, including, but not limited to:

- a. Planning Director, Chairman;
- b. Street Commissioner;
- c. City Engineer
- d. Wastewater Director;
- e. Police Chief;
- f. Fire Chief;
- g. Other Utility providers as identified by the Plan Commission;
- h. County employees as needed in the two-mile extra-jurisdictional territory;
- i. County sanitarian;
- j. MS4 representative;
- k. Building Inspector; and
- l. Any other person(s) deemed appropriate by the Plan Commission.

3. Duties

- a. The Technical Advisory Committee shall limit its attention and recommendation to the design and construction aspects of the proposed development or subdivision with emphasis placed on public improvements, utilities, drainage, parking and other development standards. Projects shall be reviewed for compliance to the Zoning Ordinance and compatibility with the Comprehensive Plan prior to:
 - (1) The establishment of any use of land;
 - (2) The issuance of any Improvement Location Permit/Building Permit;
 - (3) The erection of any structure; and
 - (4) Any other substantial site improvements.
- b. The Technical Advisory Committee shall provide written recommendations pertaining to technical aspects of the design and construction plans; approval or disapproval of a development or subdivision is clearly the responsibility of the Plan Commission.
- c. The Technical Advisory Committee shall have the authority to request that a docket be continued or tabled by the Plan Commission until the Committee has reviewed revised plans submitted by the petitioner(s).

D. Plat Committee

1. Establishment

The Commission hereby delegates to a Plat Committee, as established by IC 36-7-4-701(e), authority to grant secondary approval, unless by the written primary approval, the Commission specifically reserves the right to make secondary approval based on circumstances deemed necessary by the Commission.

2. Membership

The Plat Committee shall be composed of five members who shall be the City Planning Director, the City Engineer, the manager of the City Storm Water Utility, the President of the Plan Commission and one other member of the Planning Commission. The President of the Plan Commission shall serve as the Chairman of the Plat Committee.

Section 153.052 Administrative Appeal

The Board of Zoning Appeals (BZA) shall hear and make decisions on appeals. Appeals shall be classified into two types: administrative appeals which shall concern any order, requirement, decision, or determination made by the Planning Director; and non-conforming situation appeals which shall concern any extension, expansion, relocation or change of any lawful non-conforming situation.

A. Application process

The petition process for both appeal types is as follows:

1. Appeals shall be applied for in writing on a form provided by the Plan Commission.
2. Every petition for an appeal shall be accompanied by the following:
 - a. All applicable fees,
 - b. A list of affected parties,
 - c. A legal description of the property, and

- d. A site sketch, not necessarily drawn to scale, on plain paper no smaller than 8 1/2 x 11 inches, showing:
 - (1) All existing structures;
 - (2) All property boundaries;
 - (3) All adjacent rights-of-way;
 - (4) All utility easements and facilities, including but not limited to, telephone, gas, fire hydrants, etc;
 - (5) All driveways and parking spaces; and
 - (6) Any other information the Planning Director may require.

- 3. The BZA shall hear and determine all appeal petitions during a public hearing, consistent with IC 36-7-4-920.
- 4. The disposition of the appeal shall be by an affirmative vote of the BZA and shall be covered by BZA rules of procedure adopted by resolution.

B. Administrative appeals findings of fact

An administrative appeal decision may be approved only upon a written finding of fact that:

- 1. The Planning Director acted outside the authority of the position.
- 2. The Planning Director acted arbitrarily and capriciously.
- 3. The Planning Director acted on incomplete, insufficient or inaccurate information.

C. Non-conforming situation findings of fact

A nonconforming situation appeal may be approved only upon a written finding of fact that:

- 1. The literal enforcement of this Ordinance will result in an unnecessary hardship if applied to the property for which the appeal is sought.
- 2. The request for the appeal is because of unique characteristics of the property involved.
- 3. Approval of the appeal will preserve the land use of the property and character of the neighborhood.
- 4. Approval of the appeal will observe the spirit of this Ordinance.
- 5. The approval of the appeal will conform to the comprehensive plan.

D. Nonconforming situation appeal conditions

When approving nonconforming situation appeals, the BZA may impose reasonable conditions as a part of its approval.

Section 153.053 Special Exception Use Permit

The BZA shall hear and determine special exception petitions.

A. General

The BZA shall hear and determine special exception petitions.

B. Application process

The petition process for a special exception is as follows:

- 1. A special exception shall be applied for in writing on a form provided by the Plan Commission.

2. Every petition for a special exception shall be accompanied by the following:
 - a. All applicable fees, as established by the Official Fee Schedule;
 - b. A list of affected parties;
 - c. A legal description of the property; and
 - d. A site sketch, not necessarily drawn to scale and on plain paper no smaller than 8 1/2 x 11 inches, showing:
 - (1) All existing structures;
 - (2) All property boundaries;
 - (3) All adjacent streets and/or alleys;
 - (4) All utility easements and facilities, such as telephone poles, gas meters, fire hydrants, etc.;
 - (5) All driveways and parking spaces; and
 - (6) Any other data the Planning Director may require.
3. If the special exception petition is for a home occupation, a supplemental information form provided by the Plan Commission shall also accompany the petition giving specific details about the business activity.
4. The BZA shall hear and determine all special exception petitions during a public hearing.
5. The disposition of the special exception shall be by an affirmative vote of the BZA. The disposition of the petition shall be covered by BZA Rules of Procedure adopted by resolution.

C. Findings of fact

A special exception may be approved only upon written findings of fact that:

1. The special exception is listed as such in the Official Schedule of Uses.
2. The special exception will not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
3. If the special exception is for a manufacturing or industrial/processing facility, the petition will comply with all of the performance standards of Section 153.023 of this Ordinance.
4. The special exception will be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
5. The special exception will produce a total visual impression and environment, which is consistent with the environment of the neighborhood.
6. The special exception will organize vehicular access and parking to minimize traffic congestion in the neighborhood.
7. If the special exception is for a home occupation, the petition will comply with all the requirements of Section 153.030 of this Ordinance.
8. The special exception will preserve the purposes of this Chapter.

D. Conditions

When approving special exceptions, the BZA may impose reasonable conditions as a part of its approval.

Section 153.054 Variance

A. General

The BZA shall hear and determine variance petitions from the requirements of this Chapter. Variances shall be classified into two types: use variances which shall concern the granting of uses within a zoning district that are not permitted by right or by special exception within that zoning district; and development standard variances which shall concern the reduction of minimum development standards or the increase of maximum development standards. Additional conditions are established for variances within the Special Flood Hazard Area, as well as height restrictions.

B. Application process

The petition process for both variance types is as follows:

1. A variance petition shall be applied for in writing on a form provided by the Plan Commission. A combination of a use and development standard variance may be applied for in one petition, although the BZA may consider the requests separately.
2. Every petition for a variance shall be accompanied by the following:
 - a. All applicable fees,
 - b. A list of affected parties,
 - c. A legal description of the property, and
 - d. A site sketch, not necessarily drawn to scale and on plain paper no smaller than 8 1/2 x 11 inches, showing:
 - (1) All existing buildings and/or structures;
 - (2) All property boundaries;
 - (3) All adjacent streets and/or alleys;
 - (4) All utility easements and facilities, such as telephone poles, gas meters, fire hydrants, etc.;
 - (5) All driveways and parking spaces; and
 - (6) Any other information the Planning Director may require.
3. The BZA shall hear and determine all variance petitions during a public hearing.
4. The disposition of the variance petition shall be by an affirmative vote of the BZA. The disposition of the petition shall be covered by BZA Rules of Procedure adopted by resolution.

C. Use variance findings of fact

A use variance may be approved only upon written findings of fact that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
3. The need for the variance arises from some condition peculiar to the property involved;
4. The need for the variance was not self-created;

5. The strict application of the terms of this Chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
6. The approval does not interfere substantially with the comprehensive plan.

D. Use variance conditions

When approving use variances, the BZA may impose reasonable conditions as a part of its approval.

E. Development standard variance findings of fact

A development standard variance may be approved only upon written findings of fact that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The need for the variance was not self-created.
3. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, and
4. The strict application of the terms of this Chapter will result in practical difficulties in the use of the property.

Section 153.055 Site Development Plan Review

The site development plan review process is intended to promote the safe and efficient use of land, to protect property values, and to ensure for an orderly development pattern in accordance with the Comprehensive Plan.

A. Authority

The Plan Commission shall have the exclusive authority to review and approve or disapprove all development plans required by this Ordinance. The Plan Commission may delegate development plan review to the Technical Advisory Committee or the Planning Director as established in the Plan Commission Rules of Procedure.

B. Parties Entitled to Development Plan Review

The owner or lessee of a property or other person having a legal or equitable interest in the subject property may file an application for development plan review with the Planning Director. Special exception uses must first be approved by the Board of Zoning Appeals before consideration for development plan review.

C. Site Development Plan Requirements

A development plan at a scale of not more than 1"=100' shall be required. Standard engineering symbols shall be used, with a legend or explanation of all symbols provided on all submitted drawings. The development plan shall be of a size not less than 17" x 21" nor more than 30" x 36"; except that when the plat at the scale of 1"=100' requires more than the acceptable sheet size, the plan may be drawn at a scale of up to 1"=200'. The development plan shall show the following:

1. Petitioner's name, address, and proof of interest in the property;
2. The owners name and address (if different than the applicant), and the owner's consent to the filing of the petition;
3. The street address of the subject property;
4. The zoning classification and present use of the property;
5. General vicinity map;
6. Property boundaries including easements;
7. Elevation marks and contours;
8. Traffic and pedestrian circulation plan;
9. Adjacent streets;
10. Parking and loading plan (may be waived by the Plan Commission if not applicable);

11. Grading and surface plan;
12. Utility plan;
13. Signage plan (may be waived by the Plan Commission if not applicable);
14. Lighting plan (may be waived by the Plan Commission if not applicable);
15. Open space and recreation plan (may be waived by the Plan Commission if not applicable);
16. Refuse and trash storage areas, including elevations and building materials;
17. Floor plans and building elevations for all structures (may be waived by the Plan Commission if not applicable);
18. Development summary including lot area, building square footage, lot coverage, number and size of dwelling units and structures, number of parking spaces; and
19. Any other information deemed necessary by the Planning Director.

D. Site Development Plan Review Process

1. Pre-Application Meeting

All petitioners requiring development plan review shall be required to attend a pre-application meeting with the Planning Director. The purpose of the pre-application meeting is to acquaint the petitioner with the development review process and the requirements of the submittal. Neither the petitioner nor the City is bound by any decisions made during a pre-application meeting.

2. Application

Petitions for development plan review shall be applied for in writing on a form provided by the Plan Commission. Every petition for a development plan review shall be accompanied by the following:

- a. All applicable fees,
- b. A legal description of the property.
- c. A site development plan as prescribed by this Chapter

3. Determination of a Complete Application

The Planning Director shall make a determination of the completeness of an application.

4. Circulation of Relevant Documents

Upon receipt of a properly completed application, the Planning Director shall circulate copies of the application to all necessary departments and agencies for their review and comment.

5. Technical Advisory Committee Review

If necessary, the TAC shall meet to review all development plans in a meeting with the petitioner. The goal of the meeting is to allow the petitioner to discuss the project with the Planning Director and other necessary departments and agencies prior to review by the Plan Commission and revise the development plan if necessary pursuant to the comments of the Planning Director and the TAC members. A report of this meeting shall be included in the Plan Commission packets.

6. Plan Commission

The Plan Commission shall consider all development review plans in a public hearing. The disposition of the development plan review petition shall be by an affirmative vote of the Plan Commission. The disposition of the petition shall be covered by Plan Commission Rules of Procedure adopted by resolution.

7. Conditions

The Plan Commission may impose reasonable conditions on the approval of a development plan.

Section 153.056 Building Permit

A. Required permit

A building permit may be issued by the Planning Director for the following:

1. Single-family residential dwellings;
2. Two-family residential dwellings;
3. Multi-family residential dwellings;
4. Room additions, residential and non-residential structures;
5. Barns, garages, and other post frame construction;
6. Non-residential structures, principle and accessory buildings; and
7. Condominium developments.

B. General

The issuance of a Building Permit cannot substitute for or supersede the requirement of the issuance of an occupancy permit before the occupation of any building or structure. The issuance of a Building Permit does not waive any requirement of any pertinent municipal, county, State or Federal ordinance, rule, regulation or law.

C. Application process

With the exception of condominium projects, the application process for all other building permits is as follows:

1. A building permit shall be applied for in writing on a form provided by the Plan Commission.
2. Every application for a building permit shall be accompanied by a site plan drawn to scale (or with sufficient dimensions labeled to determine scale) and on plain paper no smaller than 8 1/2 x 11 inches, showing:
 - a. Lot size
 - b. All property boundaries;
 - c. All adjacent streets and/or alleys;
 - d. The ground area of the building or structure;
 - e. The building set back lines;
 - f. The number of stories or the height of building or structure;
 - g. A sidewall diagram
 - h. The use to be made of the building or structure or land;
 - i. The location of all easements and rights-of-way;
 - j. The location and elevation of all signs;
 - k. All driveway and parking spaces (with dimensions);
 - l. The location of any streams, ponds or other water bodies;

- m. The location of well and septic systems, if applicable; and
 - n. All other information required by the Planning Director.
3. Upon receipt of an application for a building permit, the Planning Director shall review said application for completeness. If the application is found to be complete, the application shall then be processed per the provisions of this Section. If the application is found to be incomplete, the Planning Director shall send to the applicant a written notice of the specific ways in which the application is deficient, including appropriate references to the applicable sections of this Ordinance.

D. Review

In his or her review of a complete application for a building permit, the Planning Director shall:

1. Issue the building permit if the proposed structure, improvement or use of land and its location is shown to conform in all respects to the comprehensive plan, this Ordinance, and/or an official order from the BZA; and all other local, state and federal requirements; or
2. Reject the building permit if the proposed structure, improvement or use of land and its location fails in any way to conform with the comprehensive plan, this Ordinance, and/or an official order from the BZA; and all other local, state and federal requirements; and
3. In either case, the Planning Director shall notify the applicant of the decision, as follows:
 - a. In case of an approval, a validated building permit shall be returned to the applicant, or
 - b. In case of a rejection, the Planning Director shall notify the applicant, in writing, specifying the deficiencies of the building permit application and advising that the Planning Director's decision may be appealed in accordance with Section 153.052, Administrative Appeal.

E. Permit modifications

Modifications to an approved building permit are classified as minor, BZA, or major and are permitted as follows:

1. The applicant of a building permit requesting approval of modifications shall submit a written request for such approval to the Planning Director, and the request shall specify all modifications.
2. The Planning Director shall determine which category the request falls under. The Planning Director shall notify the applicant in writing of such determination or approval. If the applicant disagrees with such determination, the decision may be appealed to the BZA.
3. Minor modifications. Insignificant deviations and minor design changes to a building permit are permissible and the Planning Director shall authorize such modifications. For purposes of this Section, an insignificant deviation or minor design modification is permissible if it has no discernible impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.
4. BZA modifications. If the request for modifications concern or require an official order of the BZA, such improvement shall immediately stop and the request shall be processed as a petition to the BZA, including the payment of all required fees.
 - a. If the modification is approved, the Planning Director shall notify the applicant in writing of the BZA decision and the improvement may continue as modified.
 - b. If the modification is denied, the Planning Director shall revoke the original building permit per Section 153.065 D, Approval Revocation, of this Ordinance.
5. Major modifications. All other requests for modifications of a building permit shall be major and the Planning Director shall revoke the original building permit according to Section 153.065 D, Approval Revocation, of this Ordinance. The new request shall be processed as a new building permit application.

6. In any of the modification categories set forth in this Ordinance, the applicant retains the right to withdraw the request for a modification at any time by notifying the Planning Director, in writing, of such decision. The improvement may then proceed in accordance with the originally issued building permit.

F. Building Permits for Condominium Projects

A building permit may be issued only upon the approval of the Declaration and the plan of improvements by the Planning Director and City Engineer.

Section 153.057 Improvement Location Permit

A. Required permit

An improvement location permit may be issued by the Planning Director for the following:

1. Building remodels;
2. Decks;
3. Pools;
4. Fences;
5. Sheds; and
6. Driveways.

B. Exceptions

The following structures, improvements or uses of land do not require an ILP:

1. Public utility lines and supports.
2. Non-public, private playground equipment, including swing sets, playhouses, tree houses, sand boxes, slides, and other similar equipment.
3. Lawn decorations, including bird feeders, flower boxes, fountains, and other similar structures.
4. Private television satellite dishes.

C. General

The issuance of an ILP cannot substitute for or supersede the requirement of the issuance of a building permit before the construction of any building or structure. The issuance of an ILP does not waive any requirement of any pertinent municipal, county, State or Federal ordinance, rule, regulation or law.

D. Application process

The application process for an ILP is as follows:

1. An ILP shall be applied for in writing on a form provided by the Plan Commission. Every application for an ILP shall be accompanied by a site plan drawn to scale (or with sufficient dimensions labeled to determine scale) and on plain paper no smaller than 8 1/2 x 11 inches, showing:
 - a. All property boundaries;
 - b. All adjacent streets and/or alleys;
 - c. The ground area of the building or structure;
 - d. The building set back lines;
 - e. The number of stories or the height of building or structure;
 - f. The use to be made of the building or structure or land;

- g. The location and elevation of all signs;
 - h. All driveway and parking spaces (with dimensions); and
 - i. All other information required by the Planning Director.
2. Upon receipt, the Planning Director shall review an Improvement Location Permit for its completeness. If the application is found to be complete, the application shall then be processed accordingly. If the application is found to be incomplete, the Planning Director shall send written notice to the applicant of the specific ways in which the application is deficient, including appropriate references to the applicable sections of this Ordinance.

E. Review

In his or her review of a complete application for an Improvement Location Permit (ILP), the Planning Director shall:

1. Issue the ILP if the proposed structure, improvement or use of land and its location is shown to conform in all respects to the comprehensive plan, this Ordinance, and/or an official order from the BZA; and all other local, state and federal requirements; or
2. Reject the ILP if the proposed structure, improvement or use of land and its location fails in any way to conform with the comprehensive plan, this Ordinance, and/or an official order from the BZA; and all other local, state and federal requirements; and
3. In either case, the Planning Director shall notify the applicant of the decision, as follows:
 - a. In case of an approval, a validated ILP shall be returned to the applicant, or
 - b. In case of a rejection, the Planning Director shall notify the applicant, in writing, specifying the deficiencies of the ILP application and advising that the Planning Director's decision may be appealed in accordance with Section 153.052, Administrative Appeal.

F. Permit modifications

Modifications to an approved Improvement Location Permit (ILP) are classified as minor, BZA, or major and are permitted as follows:

1. Request by Applicant

The applicant of an ILP requesting approval of modifications shall submit a written request for such approval to the Planning Director, and the request shall specify all modifications.
2. Planning Director Determination

The Planning Director shall determine, within two working days of receiving the request, which category set forth below in subsections (3), (4) or (5) the request falls under. The Planning Director shall notify the applicant in writing of such determination or approval within such two-day period. If the applicant disagrees with such determination, the decision may be appealed to the BZA.
3. Minor modifications

Insignificant deviations and minor design changes to an ILP are permissible and the Planning Director shall authorize such modifications. For purposes of this Section, an insignificant deviation or minor design modification is permissible if it has no discernible impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.

4. BZA modifications

If the request for modifications concern or require an official order of the BZA, such improvement shall immediately stop and the request shall be processed as a petition to the BZA, including the payment of all required fees.

- a. If the modification is approved, the Planning Director shall notify the applicant in writing of the BZA decision and the improvement may continue as modified.
- b. If the modification is denied, the Planning Director shall revoke the original ILP according to Section 153.065 D, Approval Revocation.

5. Major modifications

All other requests for modifications to an ILP shall be major and the Planning Director shall revoke the original ILP according to Section 153.065 D. Approval Revocation. The new request shall be processed as a new ILP application.

6. Applicants Ability to Withdraw the Request

In any of the modification categories set forth in this Ordinance, the applicant retains the right to withdraw the request for a modification at any time by notifying the Planning Director, in writing, of such decision. The improvement may then proceed in accordance with the originally issued ILP.

Section 153.058 Certificate of Occupancy Permit

A. General

No occupancy or use shall take place on platted or unplatted land until a Certificate of Occupancy is issued by the Planning Director. The Certificate of Occupancy is intended to certify that improvements made according to an approved ILP/building permit were actually completed.

B. Review

Once an improvement is made according to an approved ILP/building permit, but prior to its occupancy or use, the applicant shall notify the Building Inspector that a Certificate of Occupancy Permit is requested. Within three working days of the Certificate of Occupancy Permit request, the Building Inspector, or his or her designee, shall determine, through a physical inspection, whether the structure, improvement or use of land is in total compliance with the issued ILP and either:

1. Approve

Approve the Certificate of Occupancy if the structure, improvement or use of land and its location conforms in every respect to the approved ILP, and return the validated Certificate of Occupancy to the applicant; or

2. Reject

Reject the Certificate of Occupancy if the structure, improvement or use of land and its location fails in any way to conform to the approved ILP, and notify the applicant, in writing, specifying the reasons for the rejection, including specifying the areas of the completed development that are inconsistent with the approved ILP, and advising that the Planning Director's decision may be appealed in accordance with Section 153.052, Administrative Appeal, of this Ordinance. In addition, the Planning Director shall proceed with the enforcement proceedings.

Section 153.059 Change of Occupancy Permit

No change of occupancy shall take place in an existing building until a Change of Occupancy Permit is issued by the Building Inspector and approved by the Fire Inspector.

Section 153.060 Address Designations

A. General

The Planning Director, or his or her designee, is hereby delegated to approve the assignment of street numbers to lots and structures; and to number or renumber lots and structures.

B. Application process

The application process for an address designation shall be as follows:

1. All address designations shall be applied for in writing on a form provided by the Plan Commission.
2. Every application for an address designation shall be accompanied by the following:
 - a. All applicable fees, as established by the Official Fee Schedule,
 - b. A site sketch, not necessarily drawn to scale, showing all existing and proposed buildings or structures. Addresses shall be included for all existing structures.

C. Inspection

Before designation of an address, the Planning Director shall inspect the location with special observation of the neighboring addresses and uses.

D. Written notification

Whenever feasible, the Planning Director shall designate and notify the applicant of the addresses within five working days of the submission of the complete application.

Section 153.061 Expiration of Petitions and Permits

A. General

All required petitions and permits established in this Ordinance shall expire one (1) year after the issuance of such petitions or permits if:

1. The use of land authorized by such petition or permit has not commenced in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary, or
2. Less than seventy-five percent (75%) of the total cost of all construction, erection, alteration, excavation, demolition, materials or similar work on any development authorized by such petition or permit has been completed on the site.

B. Failure to Complete Construction

If, after the fulfillment of either (1) or (2) of Subsection (A) above, such work is not completed within one (1) year from the issuance of the permit, then the permit authorizing such work shall expire.

C. Extensions

The Planning Director may extend a petition or permit for a period up to six (6) months the date when a petition or permit would otherwise expire pursuant to Subsections (A) or (B) above, if:

1. The owner has requested the extension in writing from the issuing authority, and
2. The petition or permit has not yet expired, and
3. The owner has proceeded with due diligence and in good faith, and
4. Conditions have not changed so substantially as to warrant a new application.

D. Successive extensions

Successive extensions may be granted for periods up to six (6) months upon the same findings. All such extensions may be granted without resorting to the formal processes and fees required for a new permit, provided that said permit has not already expired.

E. Time of issuance

For purposes of this Section, approval of a petition within the jurisdiction of the City Council, the Plan Commission, Plat Committee or the BZA is issued on the date when such board votes to approve the petition. A permit is issued on the date when a copy of the fully executed permit is hand-delivered or mailed to the applicant.

F. Prior petitions and permits

This Section shall be applicable to petitions and permits issued prior to the date this Section becomes effective.

Section 153.062 Successors and Assigns

A. General

Subject to subsection (B) below, all petitions and permits are transferable, so long as the land or structures or any portion thereof covered under a petition or permit continues to be used for the express purposes for which the petition or permit was granted. The terms and requirements of the petition or permit apply to and restrict the use of land or structures covered under the petition or permit, not only with respect to all persons having any interest in the property at the time the petition or permit was obtained, but also with respect to persons who subsequently obtain any interest in all or part of the covered property and wish to use it for or in connection with purposes other than those for which the petition or permit was originally issued.

B. Petitions not transferable

Home occupation special exception petitions, use variance petitions and their related ILPs are not transferable. Any continuance of these petitions shall require a new petition approved by the BZA. The BZA, at their sole discretion, may also stipulate that any petition or permit is not transferable where situations warrant it.

C. Recording and required fee

Whenever a petition or permit is issued that is not transferable, the following shall apply:

1. Nothing authorized by the petition or permit may be started until a document stating such petition or permit is not transferable is recorded in the Montgomery County Recorder's office and indexed under the record owner's name as grantor.
2. The petitioner shall be required to pay the Plan Commission office an additional fee to have the document recorded.

Section 153.063 Amendments to Zoning Code and Zoning Map

A. General

Two procedures to amend this Ordinance and one procedure to amend the zoning maps are established, as follows:

1. Petitions requesting a total replacement or a total repeal to this Ordinance, including amendments and zoning maps, may only be initiated by the Plan Commission. The procedure for this type of petition shall be governed by IC 36-7-4-602 (a) and 36-7-4-606.
2. Petitions requesting an amendment or repeal to part of the text of this Ordinance may only be initiated by the Plan Commission or the Common Council. The procedure for this type of petition shall be governed by IC 36-7-4-602 (b) and 36-7-4-607.
3. Petitions requesting a change to the zoning maps (rezoning) may only be initiated by the Plan Commission, the Common Council or by a petition signed by property owners who own at least fifty percent of the land involved. The procedure for this type of petition shall be governed by IC 36-7-4-602 (c) and 36-7-4-608.

B. Rezoning application process

The petition process for a rezoning initiated by a majority of property owners is as follows:

1. A rezoning shall be applied for in writing on a form provided by the Plan Commission.
2. Every petition for a rezoning shall be accompanied by the following:
 - a. All applicable fees, as established in the City of Crawfordsville Official Fee Schedule,
 - b. A list of affected parties,
 - c. A legal description of the property, and
 - d. A site plan, drawn to scale, and on paper not less than 17" x 21" nor more than 30" x 36", showing the location of the proposed land to be rezoned in respect to surrounding properties. This drawing shall include details, as required by the Commission, of the land uses within three hundred (300) feet of the land to be rezoned.
3. The Plan Commission shall hear and determine all rezoning petitions during a public hearing.
4. The disposition of the rezoning shall be by an affirmative vote of the Commission and shall be covered by Commission Rules of Procedure adopted by resolution.

C. Rezoning findings of fact

All rezoning must be recommended to the Council only upon a determination in writing that the Plan Commission has considered the following:

1. Whether the rezoning will fulfill a public need for that type of land use.
2. Whether the rezoning is appropriate in the area requested or if the public interest would be better served by rezoning another area of the jurisdiction.
3. Whether the rezoning conforms to the future land use map in the Comprehensive Plan.
4. Whether the new land use will complement the present and future traffic flows or would the rezoning cause an adverse impact.
5. Whether adequate off street parking will be provided if the rezoning request is granted.
6. Whether potential inconveniences and nuisances (such as noise, lights, odors, etc.) of the rezoning request on adjacent landowners have been adequately considered.
7. Whether there are adequate public utilities and services available to the land if rezoned; and whether the local government will have to pay the cost of any such installation.
8. Whether it is assured that the rezoning request is not spot zoning, a violation of precedents, or arbitrary and capricious.

D. Council action required

Once the Commission gives a recommendation on a rezoning, it must certify its recommendation to the Council within ten days of such decision. The Council has ninety days from the date the Commission certifies its recommendation in which to take final action on the proposal. Final action shall be the adoption, or rejection of a prepared ordinance; however, if the Council fails to take final action or act on the proposal within such ninety-day period, the proposal shall be approved as certified by the Plan Commission.

E. Speculative rezoning prohibited

In all cases where a rezoning is initiated by a majority of property owners, the petition shall be requested because of a committed and planned project. The Plan Commission shall consider the criteria in subsection (C) above based upon

the planned project. All such rezoning petitions where there is no commitment and/or planned project shall be considered speculative and shall be prohibited.

F. Permits for projects where a rezoning was requested and granted

In cases where a rezoning is initiated by a majority of property owners, and where an ILP or building permit is requested for a project which is inconsistent with the findings of the approved rezoning, the ILP or building permit shall be denied by the Planning Director.

Section 153.064 Fees

A. General

Reasonable fees sufficient to cover the costs of administration, inspections, publication of notice in all local newspapers and similar matter may be charged to applications and petitions filed pursuant to the provisions of this Ordinance requiring plan commission, board of zoning appeals, or the Planning Director's approval. To this end, the fees established by the City of Crawfordsville Official Fee Schedule shall apply.

B. Waivers

1. ILP fee waived. In specific cases where a building permit and an ILP are required for a single, identical project, the ILP fee shall be waived. However, all building permit fees shall be paid.
2. Inter-departmental applications. From time to time city departments may file for a permit required by this Ordinance. The fees associated with such permit or permits may be waived by the Planning Director. The Planning Director shall document said reason for waiving the applicable fee.

C. Other conditions

The following conditions shall also apply:

1. No part of any fee paid pursuant to this Section shall be returnable to the applicant or petitioner nor transferable to another application or petition.
2. Any person filing a petition for Plan Commission or Board of Zoning Appeals action shall assume the cost of public notice that is required.
3. No application or petition shall be considered nor any permit issued unless the required fee is paid in full.

D. Publication of planning documents

In addition to this Ordinance and the Subdivision Control Ordinance being codified along with all other chapters of the Municipal Code, these chapters shall also be published as separate documents available for public sale. Under no circumstances shall these separately published versions be considered to be official. The official version of the municipal code is found in the Code of Ordinances, published by the American Legal Publishing Corporation. The comprehensive plan and zoning maps shall also be published and available for sale. The fees for these documents are as established by the City of Crawfordsville Official Fee Schedule.

Section 153.065 Violation Procedures

A. General

Whenever a written, signed complaint alleging a violation of this Ordinance is received, the Planning Director shall investigate the complaint, take whatever action is warranted, and inform the complainant in writing what actions have been or will be taken. This Section does not prohibit the Planning Director from alleging violations of this Ordinance.

B. Persons liable

The owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this Ordinance may be held responsible for the violation, suffer the penalties, and be subject to the remedies herein provided.

C. Procedures upon discovery of violations

If the Planning Director finds that any provision of this Ordinance is being violated, the following steps shall be taken:

1. The Planning Director shall send a written notice to the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent at the Planning Director's discretion.
2. The final written notice (and the initial written notice may be the final notice) shall state what action the Planning Director intends to take if the violation is not corrected and shall advise that the Planning Director's decision or order may be appealed.
3. Notwithstanding the foregoing, in cases when delay would seriously threaten the effective enforcement of this Ordinance or pose a danger to the public health, safety, or welfare, the Planning Director may seek enforcement without prior written notice by invoking any of the penalties or remedies authorized by this Ordinance.

D. Approval revocation

Any approval by the Plan Commission, Plat Committee, BZA or Planning Director may be revoked by the appropriate issuing authority, if the recipient fails to develop or maintain the property in accordance with 1) the submitted application and/or plans or plats, 2) the requirements of this Ordinance and/or 3) any requirement lawfully imposed by the issuing authority.

1. When the Plan Commission, Plat Committee or BZA considers a revocation of a petition, the following shall apply:
 - a. Before a Plan Commission, Plat Committee or BZA approval may be revoked, all of the notice requirements of the original request shall be repeated. The petition recipient shall be notified of the appropriate issuing authority's meeting time and date and of the alleged grounds for the revocation.
 - b. The burden of presenting evidence sufficient to authorize the issuing authority to conclude that an approval should be revoked for any of the reasons set forth above shall be upon the party advocating that position (i.e., the Planning Director). The burden of persuasion shall also be upon that party (i.e., the Planning Director).
 - c. A motion to revoke an approval shall include, insofar as practicable, a statement of the specific reasons or findings of fact that support the motion.
2. When the Planning Director considers a revocation of a permit, the following shall apply:
 - a. Before a Planning Director's approval may be revoked, the Planning Director shall give the permit recipient ten days notice of intent to revoke the permit and shall inform the recipient of the alleged reasons for the revocation and shall advise that the Planning Director's decision or order may be appealed in accordance with this Ordinance.
 - b. If an appeal to the BZA is requested, the Planning Director shall not proceed forward with enforcement nor shall the permit recipient go forward with the use of the land, until the BZA has ruled on the appeal.
3. If the petition or permit is revoked, the Planning Director shall provide to the recipient a written statement of the decision and the reasons therefore.
4. No person may continue to make use of land or buildings in the manner authorized by any approval after such approval has been revoked.

Section 153.066 Judicial Review

The procedures required for judicial review areas set forth in IC 36-7-4-1000. Specifically, the various bodies shall be subject to the following reviews:

A. Plan Commission

Any decision or requirement of the Plan Commission concerning subdivision plats or planned developments may be reviewed by certiorari. Any decision or requirement of the Plan Commission concerning a recommendation to the Council may not be reviewed.

B. BZA

Any decision or requirement of the BZA made under the authority of this Ordinance may be reviewed by certiorari.

C. Planning Director

Any decision or permit issuance by the Planning Director may be appealed to the BZA.

D. Plat Committee

Any decision or requirement of the Plat Committee concerning subdivision plats or planned developments may be appealed to the Plan Commission.

E. Council

Any decision or requirement of the Council concerning the amendment of the zoning maps may be reviewed by certiorari.

Section 153.067 Penalties and Remedies for Violations

A. Penalties

Violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of any condition, stipulation or safeguard established in connection with permission of variances or special exceptions, shall upon conviction, be punished as prescribed in the Official Fee Schedule.

B. Public Nuisances

Violations of the provisions of this Ordinance or failure to comply with any of its requirements, including violations of any condition, stipulation or safeguard established in connection with permission of variances or special exceptions, are hereby declared to be public nuisances.

C. Remedies

IC 36-7-4-1000 gives further remedial and enforcement powers, including but not limited to, stay of proceedings, stop work orders, prosecution, and costs.

D. Other provisions

The following provisions shall also apply to this Ordinance:

1. This Ordinance may also be enforced by any appropriate equitable action.
2. Each day of the existence of any violation of this Ordinance shall be a separate offense.
3. Any one, all or any combination of the foregoing penalties and remedies may be used to enforce this Ordinance.

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Definitions

Section 153.068 Purpose

For the purpose of administering and enforcing this ordinance, certain numbers, abbreviations, terms, words, and phrases used by this Ordinance shall be used, interpreted, and defined as set forth below.

Section 153.069 Rules

A. Interpretation

For the purpose of these regulations, certain words and phrases used herein shall be interpreted as follows:

1. The word "person" includes as individual, firm, association, organization, partnership, trust, company, corporation, or any legal entity.
2. The masculine includes the feminine.
3. The present tense includes the past and future tense; the singular includes the plural.
4. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
5. The words "used" and "occupied" include the words "intended, arranged, designed to be used or occupied."

B. Other words and phrases not defined

1. All other words not herein defined shall be defined according to any recent edition of a dictionary of the American language.
2. Whenever any words and phrases used herein are not defined, but are defined in the Indiana Code, such definition shall be deemed to apply to such words and phrases, unless stated otherwise.

Section 153.070 Words and Phrases Defined

The following pages define the words and phrases used within this Ordinance.

ACCESSORY STRUCTURE. A structure that is subordinate to and located on the same lot as the principal structure, and which does not change or alter the character of the premises and which is not used for human occupancy. Accessory structures include such items as satellite dishes, garages, sheds, decks and fences. The term accessory structure does not include a trailer, a portion of a box truck, or any other similar container.

ACCESSORY USE. A use customarily incidental and subordinate to the principal use and located on the same lot as the principal use. Accessory uses shall not exist in the absence of a principal use.

ADDITION. Means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, shall be considered new construction.

ADULT BOOKSTORE. An establishment having as a preponderance of its stock or its dollar volume in trade, books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

ADULT CABARET. A nightclub, bar, theatre, restaurant or similar establishment which features live performances of topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas and/or which regularly feature films, motion pictures, video cassettes, slides or other photographic reproductions which are distinguished or characterized by an emphasis on specific sexual activities or by exposure of specified anatomical areas for observation by patrons.

ADULT DRIVE-IN THEATER. An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of, visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats in which a preponderance of the total presentation time is devoted to the showing of materials distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

ADULT ENTERTAINMENT BUSINESS. An adult bookstore, adult motion picture theatre, adult mini motion picture theatre, adult motion picture arcade, adult cabaret, adult drive-in theater, adult live entertainment arcade or adult service establishment.

ADULT LIVE ENTERTAINMENT ARCADE. Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to view from an enclosed or screened area or booth a series of like dance routines, strip performances or other gyrational choreography which performances are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas.

ADULT MINI MOTION PICTURE THEATER. Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee, with a capacity of more than 5 but less than 50 persons, used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to the showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or by exposure of specifies anatomical areas for observation by patrons therein.

ADULT MOTION PICTURE ARCADE. Any place to which the public is permitted or invited wherein coin or slug;- operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to 5 or fewer persons per machine at any one time, where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specifies anatomical areas.

ADULT MOTION PICTURE THEATER. Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee, with a capacity of 50 or mare persons used for presenting films, motion pictures, video cassettes, slides or similar photographic reproductions in which a preponderance of the total presentation time is devoted to showing of materials which are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT SERVICE ESTABLISHMENT. Any building, premises, structure or other facility, or any part thereof, under common ownership or control, which provides a preponderance of services, involving specified sexual activities or display of specified anatomical areas.

AGRICULTURAL ACTIVITY. Any use of land or structures for farming, dairying, pasturage, agriculture, horticulture, floriculture, arboriculture, or animal or poultry husbandry. Accessory uses permitted in conjunction with an agricultural use may include barns stables, corncribs, silos, and any other use or structure that is clearly a part of an agricultural operation.

AREA. Area of a lot or site shall be calculated from dimensions derived by horizontal projection of the site.

AREA OF SHALLOW FLOODING. A designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AUTOMOBILE DEALERSHIP. A car dealership or vehicle local distribution is a business that sells new cars and/or used cars at the retail level, based on a dealership contract with an automaker or its sales subsidiary. It employs automobile salespeople to do the selling. It may also provide maintenance services for cars, thus employing automobile mechanics, stock and sell spare automobile parts, and process warranty claims.

AUTOMOBILE MALL. A single location that provides sales space and centralized services for a number of automobile dealers and that may include such related services as auto insurance dealers and credit institutions that provide financing opportunities.

AUTOMOBILE SERVICE, MAJOR. The replacement of any part or general repair, rebuilding or reconditioning of engines, passenger cars, commercial vehicles or trailers, including body work, framework, welding and major painting service.

AUTOMOBILE SERVICE, MINOR. The service and maintenance of equipment and parts, including oil change and lubrication, muffler shops, tire sales and installation, wheel and brake shops, automobile detailing, or installation of CB radios, car stereos, or car alarms. The above stated applies to passenger vehicles, and is typically accomplished without keeping the vehicle overnight.

A ZONE. Portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In "A Zones" floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions for these sub-zones are as follows:

ZONE A. Areas subject to inundation by the one-percent annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.

Zone AE and A1-A30. Areas subject to inundation by the one-percent annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)

Zone AO. Areas subject to inundation by one-percent annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

Zone AH. Areas subject to inundation by one-percent annual chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

Zone AR. Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.

Zone A99. Areas subject to inundation by the one-percent annual chance flood event, but which will ultimately be protected upon completion of an under-construction Federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

BASE FLOOD ELEVATION (BFE). The elevation of a 100-year flood event which is also referred to as the one-percent annual chance flood.

BASEMENT. That portion of a structure having its floor sub-grade (below ground level) on all sides.

BOARD or BZA. The Board of Zoning Appeals established by this Ordinance.

BUILDING. See "structure."

CHURCH, MEGA. A large, specialized type of house of worship that includes such nontraditional accessory uses as retail sales, residential uses, amusement parks and/or sports and entertainment facilities, as an integrated part of the development with seating for 400 or more persons; or greater than 8,000 square feet of gross floor area.

CHURCH NEIGHBORHOOD. A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a non-profit religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes synagogues, temples, mosques, or other such places of worship and religious activities with seating for 400 or more persons; or greater than 8,000 square feet of gross floor area.

CLINIC. Any establishment where human patients are examined and treated by medical professionals but not hospitalized overnight.

CLUB. An establishment operated for special, recreational, or educational purposes but open only to members and not the general public.

CONTIGUOUS UNINCORPORATED AREA. That area including all or part of the area within two miles from the corporate limits of the city, and in the event that the corporate limits of the city or the boundaries of such contiguous unincorporated area include any part of the public waters or shore lines of any lake which lies wholly within the State of Indiana, may also include all or any part of the public waters and shore line of such lake together with all or any part of an area within 2,500 feet from said shore line.

CONVENIENCE STORE, NEIGHBORHOOD. A retail store with a floor area of less than 2,500 square feet that sells groceries and household items, but does not have restaurant seating or gasoline sales. The term "neighborhood convenience store" includes the term "general store."

CONVENIENCE STORE, REGIONAL. A retail store that sells groceries and household items, and which may also provide other convenience services such as restaurant, Laundromat or gasoline sales for class I or II commercial vehicles. Such uses are considered to be accessory uses and not a separate business. See also Truck Stop.

COVERAGE. That percentage of the lot area covered by principal and accessory use structures.

COMMUNITY RATING SYSTEM (CRS). A program developed by the Federal Insurance Administration to provide incentives for those communities in the Regular Program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

CRITICAL FACILITY. A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

DEVELOPMENT. Any man-made change to improve or unimproved real estate including but not limited to:

- a. Construction, reconstruction, or placement of a building or any addition to a structure;
- b. Installing a manufactured home on a site, preparing a site for a manufactured home or installing a recreational vehicle on a site for more than 180 days;
- c. Installing utilities, erection of walls and fences, construction of roads, or similar projects;
- d. Construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
- e. Mining, dredging, filling, grading, excavation, or drilling operations;
- f. Construction and/or reconstruction of bridges or culverts;

- g. Storage of materials; or
- h. Any other activity that might change the direction, height, or velocity of flood or surface waters.

The term "development" does not include activities such as the installation and maintenance of essential services, or the maintenance of existing buildings and facilities. Such building and facility maintenance could include painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavating, or the construction of permanent buildings.

DWELLING UNIT. A structure or part of a structure designed and equipped exclusively for use as a living quarters by one family including provisions for living, sleeping, cooking, and eating. The term shall include but not be limited to mobile homes and manufactured homes, but shall not include recreational vehicles or travel trailers.

DWELLING, MULTI-FAMILY. A residential building for three or more families, with the number of families in residence not exceeding the number of dwelling units provided and built in conformance with the Indiana Adopted Uniform Building Code.

DWELLING, ATTACHED SINGLE-FAMILY. Single-family dwelling units attached by a common wall or walls, and legally platted so that each unit sits on an individual lot providing for fee simple ownership of each lot. This type of dwelling may or may not have additional common grounds owned by a homeowners association. A "townhouse" is one example of a attached single-family dwelling.

DWELLING, SINGLE-FAMILY. A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.

DWELLING, TWO-FAMILY. A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

ELEVATED STRUCTURE. A non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

ELEVATION CERTIFICATE. A certified statement that verifies a structure's elevation information.

EMERGENCY PROGRAM. The first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

ESSENTIAL SERVICES. The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam, or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduit, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, street signs, and other similar equipment and accessories in connection therewith, reasonable necessary for the furnishing of adequate service by such public utilities for municipal or other governmental agencies or for the public health or general welfare, but not including buildings used or intended to be used for human habitation.

ESTABLISHMENT OF AN ADULT ENTERTAINMENT BUSINESS. Includes any of the following:

- a. The opening or commencement of any such business as a new business;
- b. The conversion of an existing business, whether or not an adult entertainment business, to any of the adult entertainment businesses defined herein;
- c. The addition of any of the adult entertainment businesses defined herein to any other existing adult entertainment business; or

- d. The relocation of any such business.

FAMILY. A group of two or more people who reside together and who are related by birth, marriage, or adoption. The term "family" does not include a group occupying a boarding house, lodging house, club, fraternity or hotel.

FARMER'S MARKET. A public market at which farmers and other vendors sell produce and other agricultural products directly to consumers, typically not for longer than a day or two at a time. The phrase farmer's market does not include roadside stands.

FBFM. An acronym for the Flood Boundary and Floodway Map, an official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

FEMA. An acronym for the Federal Emergency Management Agency. This agency administers the National Flood Insurance Program. The agency reports directly to the President and is responsible for identifying and mitigating natural and man-made hazards.

FHBM. An acronym for the Flood Hazard Boundary Map, an official map of a community, issued by FEMA, where the boundaries of the areas of special flood hazard have been identified as Zone A.

FIRM. An acronym for the Flood Insurance Rate Map, an official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FIS. An acronym for the Flood Insurance Study, the official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

FLOOD. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

FLOOD, 100-YEAR. The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "Regulatory Flood".

FLOOD, 500-YEAR. the flood that has a 0.2 percent chance of being equaled or exceeded in any year.

FLOOD, ONE-PERCENT ANNUAL CHANCE. The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter A is subject to the one-percent annual chance flood. See "FLOOD, REGULATORY".

FLOOD, REGULATORY. The flood having a one percent (1%) chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The "Regulatory Flood" is also known by the term "Base Flood", "One-Percent Annual Chance Flood", and "100-Year Flood".

FLOODPLAIN. The channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the fringe districts.

FLOODPLAIN MANAGEMENT. The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

FLOODPLAIN MANAGEMENT REGULATIONS. This ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power

which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

FLOODPROOFING (DRY FLOODPROOFING). A method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

FLOODPROOFING CERTIFICATE. A form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a Registered Professional Engineer or Architect.

FLOOD PROTECTION GRADE (FPG). Means the elevation of the regulatory flood plus two (2) feet at any given location in the Special Flood Hazard Area (SFHA). See also FREEBOARD.

FLOODWAY. The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

FLOODWAY FRINGE. That portion of the floodplain lying outside the floodway.

FOUNDATION SIDING (SKIRTING). A type of wainscoting construction of fire and weather resistant material, such as aluminum, asbestos board, treated pressed wood or other approved materials, enclosing the entire undercarriage of the manufactured or mobile home.

FREEBOARD. A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

FUNCTIONALLY DEPENDENT FACILITY. A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

GASOLINE STATION. A facility used partly or entirely for storing or dispensing flammable liquids, combustible liquids, liquefied flammable gas, or flammable gas into the fuel tanks of motor vehicles. The term "gasoline station" does not include a facility in which automobiles are serviced.

GREENHOUSE, COMMERCIAL. A greenhouse used for the growing of plants, all or part of which are sold at wholesale.

GREENHOUSE, NON-COMMERCIAL. A greenhouse used for the growing of plants, all or part of which are sold at retail.

GROUP HOME. A single-family residence used as a living space for unrelated, developmentally disabled or mentally disabled persons.

HARDSHIP (as related to variance of this Ordinance). The exceptional hardship that would result from a failure to grant the requested variance. The Common Council requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without

granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE. A structure that is individually listed on the National Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts and Objects.

HOME OCCUPATION. An occupation carried on in a dwelling unit which is clearly incidental and secondary to the use of the building for dwelling purposes, and which does not change the character of the unit as a dwelling.

INCREASED COST OF COMPLIANCE (ICC). The cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

INTEGRATED COMMERCIAL CENTER. A building containing a number of individual, unrelated and separately operated uses which share common site facilities and services such as driveway entrances and exits, parking areas, truck loading, maintenance, sewer and water utilities, or similar common facilities and services; or one or more buildings containing individual, unrelated and separately operated uses, occupying a site under one ownership or management for lease, and utilizing one or a combination of the aforementioned common site facilities or services.

JUNKYARD. Any place at which personal property is or may be salvaged for reuse, resale, or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled or sorted.

LETTER OF MAP AMENDMENT (LOMA). An amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA is only issued by FEMA.

LETTER OF MAP REVISION (LOMR). An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

LETTER OF MAP REVISION BASED ON FILL (LOMR-F). An official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

LOT. A parcel of land occupied or capable of being occupied by one or more structures.

LOT, DEPTH. A mean horizontal distance between the front and rear lot lines.

LOT, MINIMUM AREA. The horizontally projected area of a lot computed exclusive of any portion of the right-of-way of any public thoroughfare.

LOT, WIDTH. The mean width measured at right angles to its depth.

LOT OF RECORD. Any lot which individually, or as a part of subdivision, has been recorded in the Office of Recorder of Deeds of the County.

LOWEST ADJACENT GRADE. The lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

LOWEST FLOOR. Means the lowest of the following:

- a. The top of the lowest level of the structure;

- b. The top of the basement floor;
- c. The top of the garage floor, if the garage is the lowest level of the building;
- d. The top of the first floor or of a structure constructed with a crawl space, provided that the lowest point of the interior grade is at or above the BFE and construction meets requirements of (e)(1) below; or
- e. The top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless: (1) the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, by providing a minimum of two openings (in addition to doorways and windows) having a total net area of one (1) square inch for every one square foot of enclosed area. The bottom of all such openings shall be no higher than one (1) foot above grade; and (2) such enclosed space shall be usable solely for the parking of vehicles and building access.

MAJOR SUBDIVISION. As prescribed by the Crawfordsville Subdivision Control Ordinance, as amended from time to time.

MINOR SUBDIVISION. As prescribed by the Crawfordsville Subdivision Control Ordinance, as amended from time to time.

MANUFACTURED HOME. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

MANUFACTURED HOME TYPE I. A structure transportable in one (1) or more sections, which in the completed mode, is twenty-three (23) feet or more in width at its narrowest dimension, when erected on site is nine hundred fifty (950) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein. It shall bear a label certifying it is built in compliance with the federal Manufactured Home Construction and Safety Act of 1974, which became effective June 15, 1976. It shall be built after January 1, 1981.

MANUFACTURED HOME TYPE II. A structure transportable in one (1) or more sections, which, in the traveling mode, is eight (8) feet or more in width at its narrowest dimension of forty (40) feet or more in length, or when erected on site, is three hundred twenty (320) square feet, and which is built on a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. It shall bear a label certifying it is built in compliance with the federal Manufactured Home Construction and Safety Act of 1974, which became effective June 15, 1976.

MANUFACTURED OR MOBILE HOME PARK OR SUBDIVISION. Any plot of ground upon which five (5) or more mobile homes, are harbored for dwelling or sleeping purposes, regardless of whether or not a charge is made for such accommodation. In addition, mobile home parks must comply with all applicable state regulations.

MANUFACTURING, GENERAL. The manufacturing, processing, assembling, fabrication, or repairing of certain materials or products where no continuous process involved will produce noise, vibration, electrical disturbance, air pollution, water pollution, heat, glare, waste matter, odor or fire hazard which will disturb or endanger neighboring property and where all operations and storage may be in open areas.

MANUFACTURING, LIGHT. The manufacturing, processing, assembly, fabrication, or repairing of certain materials or products where no process involved will produce noise, vibration, electrical disturbance, air pollution, water pollution, heat, glare, waste matter, odor, fire hazard which will disturb or endanger neighboring property and where all operations and storage are entirely within enclosed buildings.

MAP AMENDMENT (as it relates to SFHA). A change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

MAP PANEL NUMBER. The four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

MARKET VALUE. The building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

MASSAGE. Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electrical apparatus, oils, powder, creams, lotions, ointments, or other such similar preparations commonly used in the practice of massage, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his behalf will pay money or give any other consideration or any gratuity therefore. However, massage as used in this Ordinance shall not apply to the activity of any person who is registered or licensed by the United States Government or any agency thereof, by the State of Indiana or any other agency thereof, by Montgomery county or any agency thereof, by the city of Crawfordsville or any agency thereof, or registered or licensed by any statute or ordinance of the United States, the State of Indiana, Montgomery County, or the City of Crawfordsville, while such a person so registered or licensed is performing the services for which the registration or license was issued and during the period of time said registration or license is in effect.

MITIGATION. Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of mitigation is two fold: to protect people and structures, and to minimize the cost of disaster response and recovery.

MOBILE HOME. Any vehicle more than thirty-two (32) feet in length designed by the manufacturer or maker with hitch and undercarriage to permit its being used as a conveyance upon public streets and highways and so designed, constructed or reconstructed as will permit the vehicle to be used as a dwelling and not qualifying under the definition of manufactured home or recreational vehicle.

MODULAR HOME. A factory-built home that is constructed to meet state and local codes and does not have a chassis. Modular homes require on-site assembly and some on-site construction. They are assembled on foundation walls constructed on-site. For the purposes of administering and enforcing this Ordinance, modular home does not mean "mobile home" or "manufactured home:"

MOVIE THEATER. A specialized theater for showing movies or motion pictures. The primary structural difference between a theater and a movie theater is the projection screen. However, many movie theaters can easily be adapted for stage performances and many stages have folding screens for movie projections. Although screen shapes are mostly rectangular, they come in a variety of shapes. This definition does not include an adult entertainment theater.

MOVIE THEATER, CINEPLEX. A complex structure with multiple movie theaters in which each theater is cable of showing movies in dependent of the others in the complex. Structurally, theaters in a multiplex are grouped in a manner that allows them to share box or ticket offices, parking facilities, lobby area, restrooms, concession stands, signs and marquee displays, and other service and maintenance facilities. This definition does not include an adult entertainment theater.

MOVIE THEATER, DRIVE-IN. An outdoor movie theater where patrons view movies or any other form of entertainment on a screen or stage from their vehicles. This definition does not include an adult entertainment theater.

NATIONAL FLOOD INSURANCE PROGRAM (NFIP). The federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD). As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

NATURAL RESOURCES. The Indiana National Resources Commission.

NEW CONSTRUCTION. Any structure for which the "start of construction" commenced after the effective date of the City's first floodplain ordinance.

NONCONFORMING STRUCTURE. A structure designed, converted, or adapted for a use prior to the adoption of provisions prohibiting such use in such location.

NONCONFORMING USE. Non-conforming use is any use or arrangement of land or structures legally existing at the time of enactment of this Ordinance or any of its amendments, which does not conform to the provisions of this Ordinance.

NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88). As adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

OBSTRUCTION. An obstruction includes, but is not limited to the following: any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

OCCUPIED SPACE. The total area of earth horizontally covered by the structure, excluding garages, patios and porches and other accessory structures.

ONE AND TWO FAMILY DWELLING CODE, INDIANA. The nationally recognized mandatory statewide building code prepared by the Council of American Building Officials, adopted by the Indiana Administrative Building Council as mandated through Public Law 360, Acts of 1971, and, which includes those supplements and amendments promulgated by the ABC.

OWNER. A person, firm, association, syndicate, partnership, corporation, or any other legal entity recorded as such on official records and including a duly authorized agent or notary, a purchaser, a devisee, judiciary, and person having a vested or contingent interest in the property in question as long as written proof of such can be produced upon request.

PARTICIPATING COMMUNITY. Any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

PERMANENT FOUNDATION. Any structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil and meeting all other requirements of the One and Two Family Dwelling Code and/or Uniform Building Code of the State of Indiana.

PERMANENT PERIMETER ENCLOSURE. A permanent perimeter structural system completely enclosing the space between the floor joist of the home and the ground.

PERSONAL SERVICES. Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, valet service, watch repairing, barber shop, beauty parlors, tanning and nail salons, tattooing and body piercing and other such related activities.

PHYSICAL MAP REVISION (PMR). An official republication of a community's FEMA map to effect changes to base (1-percent annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. Planimetric refers to spatial data that shows the horizontal features of the terrain without the use of topographic or relief data. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

PLANNED UNIT DEVELOPMENT. An area under single ownership or control to be developed in conformance with an approved PUD master plan and governed by a PUD Ordinance. A PUD master plan consists of a map showing the development area and all improvements to the development area, and any other exhibits. The PUD ordinance consists of text which sets forth the uses and the development standards to be met. The uses and standards expressed in the PUD Ordinance constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for the underlying district.

POST-FIRM CONSTRUCTION. Construction or substantial improvement that started on or after the effective date of the initial FIRM of the City of Crawfordsville or after December 31, 1974, whichever is later.

PRE-FIRM CONSTRUCTION. Construction or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the City of Crawfordsville, whichever is later.

PUBLIC SAFETY AND NUISANCE. Anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

RECONSTRUCTION. The rebuilding of a structure in such a manner and to such an extent as to substantially replace the existing structure.

RECREATIONAL VEHICLE. A portable or self-propelled vehicular structure designed as a temporary dwelling for travel and vacation uses only which conforms to either (a) or (b) below:

- a. Is identified on the unit by the manufacturer as a recreational vehicle and is not more than the statutory body width for highway purposes as determined by the Bureau of Motor Vehicles and does not exceed thirty-two (32) feet in length, or
- b. Is a structure mounted on an automobile or truck and designed to be used for sleeping or temporary habitation.

RECYCLABLE MATERIALS. Recyclable materials includes, but is not limited to, metal, glass, plastic, wood and paper that is intended for remanufacturing or reconstitution. Recyclable materials shall not include junk, rubbish, or hazardous waste.

RECYCLING FACILITY. An accessory use, structure, or enclosed area, not located within the public right-of-way that serves as a neighborhood drop-off point for temporary storage of recyclable materials. A recycling facility may also include a facility for the temporary collection of used clothing and household goods. For the purposes of administering and enforcing this ordinance, the term "recycling facility" is synonymous with the term "recycling collection point."

RECYCLING PLAN. A structure or site, in which source-separated recoverable materials, such as newspapers, glassware, and metal cans are collected, stored, flattened, crushed, or bundled prior to shipment to others who will use those materials to manufacture products. Storage of said materials on-site may include the use of bins, hoppers or trailers typically used for shipment.

REGULAR PROGRAM. The phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

REHABILITATION. The repair, preservation, and/or improvement of a substandard structure.

REPETITIVE LOSS. Flood-related damages sustained by a structure on two separate occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

ROADSIDE STAND. Roadside stands allow producers to sell directly to consumers by setting up a temporary structure along a roadside or in an off-street parking lot. The phrase roadside stand does not include a farmer's market, festival, or fund-raising event.

SECTION 1316. That section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

SERVICES INVOLVING SPECIFIED SEXUAL ACTIVITIES OR DISPLAY OF SPECIFIED ANATOMICAL AREAS. As used in the definition of "adult service establishment", means and includes any combination of two or more of the following activities:

- a. The sale or display of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, tapes, records or other forms of visual or audio representations which are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas;
- b. The presentation of films, motion pictures, video cassettes, slides, or similar photographic reproductions, which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons;
- c. The operation of coin or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors or other image producing devices to show images to five or fewer persons per machine at any one time and where the images so displayed are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas;
- d. Live performances by topless and/or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specifies sexual activities or specified anatomical areas; and
- e. The operation of a any establishment having a source of income or compensation derived from the practice of massage as herein defined and which has a fixed place of business where any person, firm, association, or corporation engages in, or carries on any of the activities as defined in a massage.

SIGN. Any structure, fixture, placard, announcement, declaration, device, demonstration, or insignia used for direction, information, identification or to advertise or promote any business, product, good, activity, service or interest.

SIGN, AWNING. A building identification sign or graphic which is printed on or in some fashion is attached directly to the material of the awning.

SIGN, BUSINESS. A sign which directs attention to a business service, commodity, profession, or entertainment which is sold or offered upon the same premises where the sign is located.

SIGN, CHANGEABLE COPY. A sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects which may be changed or re-

arranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Changeable copy signs shall display a static message rather than a message that imitates movement. See also "SIGN, ELECTRONIC CHANGEABLE COPY."

SIGN, CONSTRUCTION. A temporary sign, which identifies the construction activity on a property and announces the project, owner or developer, contractor, subcontractor, architect, engineer, funding source, or other related information as deemed appropriate by the Planning Director. Construction signs are void of advertisements for products, announcements for the character of the building enterprise, or the purpose for which the building is intended.

SIGN, DIRECTIONAL. Any incidental sign, which serves solely to designate the location or direction of any place or area located on the same lot.

SIGN, ELECTRONIC CHANGEABLE COPY. A sign or portion thereof that displays electronic information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs include projected images or messages with these characteristics onto building or other objects.

SIGN, IDENTIFICATION. Any sign which is limited to the name, address and number of a building, institutions or person and to the activity carried on in the building or institution, or the occupancy of the person.

SIGN, INCIDENTAL. A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "loading only," and similar directives.

SIGN, INSTITUTIONAL. Signs for schools, colleges, hospitals, churches, or other institutions of similar public or semi-public nature.

SIGN, OFF-PREMISE. An advertising sign which directs attention to any business, profession, product, activity, commodity or service that is offered, sold, or manufactured on property or premises other than that upon which the sign is located. Also known as an outdoor advertising sign. While located off-site, social and charitable organizations are excluded from this definition.

SIGN, POLE. Any freestanding sign which has its supportive structures anchored in the ground and which has the lowest portion of its sign display surface elevated above grade level.

SIGN, PORTABLE. Any sign or sign structure not securely attached to the ground or other permanent structure, or a sign designed to be transported from place to place. Portable signs include, but are not limited to: signs transported by means of wheels; a sign attached to A- or T-frames; menu and sandwich board signs; balloons; umbrellas; and signs attached to or painted on a vehicle parked and visible from the public right-of-way. Vehicles with signs that are attached or painted on that are used in the normal day-to-day operation of the business they are advertising are hereby excluded.

SIGN, UNIFIED CENTER. A single sign structure with one or more sign faces indicating the presence of multiple tenants on a property being constructed or managed as a single development. Such developments include, but are not limited to: shopping centers, office parks, and industrial parks.

SIGN, WALL-MOUNTED. Any sign attached to or erected on a wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of the wall.

SIGN, WINDOW. Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SPECIAL EXCEPTION USE. The authorization of a use that is so designated as being permitted in the district concerned if it meets special conditions, and upon application, is specifically authorized by the Board of Zoning Appeals.

SPECIAL FLOOD HAZARD AREA (SFHA). Those lands within the jurisdictions of the City subject to inundation by the regulatory flood. The SFHAs of the City generally identified as such on the Flood Insurance Rate Map of the City dated February 1, 1994, as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date. The SFHAs of those parts of unincorporated Montgomery County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City are generally identified as such on the Flood Insurance Rate Map prepared for Montgomery County by the Federal Emergency Management Agency and dated, June 1, 1988 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date. (These areas are shown on a FHBM or FIRM as Zone A, AE, A1- A30, AH, AR, A99, or AO).

SPECIFIED ANATOMICAL AREA. Means and includes any of the following:

- a. Less than completely and opaquely covered human genitals, pubic region, buttocks or female breasts below a point immediately above the top of the areola; or
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. Means and includes any of the following:

- a. Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse or sodomy.
- c. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;
- d. Flagellation or torture in the context of a sexual relationship;
- e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
- f. Erotic touching, fondling or other such contact with an animal by a human being; or
- g. Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in divisions (a) through (f) above.

START OF CONSTRUCTION. Substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation for placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. Anything constructed or erected with a fixed location, or attached to something having a fixed location. Among other things, structures may include, but are not limited to buildings, mobile homes, walls, fences, swimming pools, signs and towers. Also, any building designed or intended for the support, enclosure, shelter, or protection of persons, animals, or personal property of any kind. The term also includes recreational vehicles to be installed on a site for more than one hundred and eighty (180) days.

STRUCTURE, PRINCIPAL. A building in which the main or primary use of the lot is conducted and on which said building is situated.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a building whereby the cost of restoring the building to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the building before the damage occurred.

SUBSTANTIAL IMPROVEMENT. any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

SUPPLY YARDS. A commercial establishment storing or offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods. Supply yards do not include the wrecking, salvaging, dismantling, or storage of automobiles and similar vehicles.

SUSPENSION. The removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

TEMPORARY SIGN. An on-premises advertising device not fixed to a permanent foundation, for the purpose of conveying information, knowledge, or ideas to the public about a subject related to the activities on the premises upon which it is located. Temporary signs include, but are not limited to, banners and portable signs.

TEMPORARY/PORTABLE STORAGE UNIT. Any container, storage unit, shed-like container or other portable structure that can or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building other than an accessory building or shed.

TEMPORARY STRUCTURE. A structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

TEMPORARY USE. A prospective use, intended for limited duration, to be located in a zoning district not permitting such use, and not continuing a nonconforming use or building.

VARIANCE, DEVELOPMENT STANDARDS. A development standards variance involves a deviation or change from the development standards (such as height, bulk, or area) applicable to a certain piece of property.

VARIANCE, USE. A use variance involves a deviation or change from the legislated zoning classification applicable to a certain piece of property,

WATERCOURSE. A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

WATER SURFACE ELEVATION. The height, in relation to the North American Vertical Datum of 1988 (NAVD 88), or National Geodetic Vertical Datum of 1929 (NGVD) (other datum where specified) of floods of various magnitudes and frequencies in the floodplains of ravine areas

X ZONE. The area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the 500-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.

YARD. An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward.

YARD, FRONT. A yard across the full width of the lot extending from the front line of the principal structure to the front of the lot. Any yard having frontage on a public or private street shall be considered a front yard.

YARD, REAR. A yard extending the full width of the lot between a principal structure and the rear lot line or lines.

YARD, SIDE. A yard between the principal structure and side lot line, and extending from the front yard line of said building to the rear line of said building.

ZONE. A geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

ZONE A. See "A ZONE."

ZONE B, C, AND X. Areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

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Appendices

- A. Schedule of Uses
- B. Parking Schedule

City of Crawfordsville: Schedule of Uses

Use	Zoning District										
	C-1	A-R	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-2	SC
Agricultural Activity	P	P	S	S					S	P	S
Agricultural Industry		S							S	S	
Agricultural-related Industry		S							S	S	
Aircraft Hangar, Private										S	
Aircraft Hangar, Public										S	
Airport										S	
Amphitheater		S				S					
Amusement Park								S			
Amusement Park Offices								S			
Animal Shelter		S						P			
Antennae		P	P	P	P	P	P	P	P	P	
Antique Store						P	P	P			
Apartment Building				S	P	S	S				
Art Gallery						P	P	P			
Assembly Hall					S	P	P	P			
Assisted Living Facility		S		S	P	S	S				
Auction Arena or Sales Yard (excluding livestock)								S	P	P	
Auction House								S	P	P	
Auditorium		S	S	S	P	P	P	P			
Automobile Dealership						S	S	P			
Automobile Mall								S	S	S	
Automobile Parts/Supply Retail Establishment						P	P	P			
Automobile Rental/Leasing Establishment						S	S	P			
Automobile/Trailer Sales Area						S	S	P			
Automobile Service, Major							S	P	P		
Automobile Service, Minor							S	P	P		
Bakery, Retail						P	P	P			
Bakery, Wholesale						S	S	S	P	P	
Ballroom					S	P	P	P			
Bank						P	P	P			
Banquet Hall					S	P	P	P			
Bar						P	P	P	P	P	
Barber Shop		S	S	S	S	P	P	P			
Batching Plant									S	P	
Batting Cages							S	P			
Beauty Salon		S	S	S	S	P	P	P			
Bed and Breakfast		S	S	S	S	S	S				
Bio-Technology Industry									P	P	
Boarding House		S			P						

Use	Zoning District										
	C-1	A-R	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-2	SC
Boat Sales and Service						S	S	P	P		
Boat Storage								S	P		
Bookstore						P	P	P			
Bottled Gas Storage and Distribution Yard									S	P	
Bowling Alley							P	P			
Brewery/Brewpub						S	P	P			
Broadcasting Studio		S				S	S	S	P	P	
Bus Lot (non-educational public transportation)	S	S			S	S	P	P			S
Bus Terminal (non-educational public transportation)	S	S			S	S	P	P			S
Butcher Shop		S									
Camp, Private	S	S									
Campground	S	S									
Car Wash, Industrial									P	P	
Car Wash, Self-Service						S	P	P			
Casino								S			
Cemetery		P	S	S	S		S	S			
Christmas Tree Sales							P	P			
Church, Mega-Church					S		S	P			
Church, Neighborhood		S	P	P	P	P	P	P			
Clinic		S	S	S	S	P	P	P			
Club		S				P	P	P			
Coffee House						P	P	P	P	P	
Communications Facility, Wireless		P	P	P	P	P	P	P	P	P	
Community Center					S	P	P	P			
Concentrated Animal Feeding Operation (CAFO)											P
Conference Center						P	P	P	P	P	
Confined Feeding Operation (CFO)											P
Construction Office Building								P	P	P	
Construction Material Sales and Service								P	P	P	
Convalescent Care/Rest Home		S		S	P	S	S				
Convenience Store, Neighborhood						S	P	P	P	P	
Convenience Store, Regional								S	P	P	
Convention Center						P	P	P	P	P	
Correctional/Penal Facility		S							S		
Country Club		S	S	S							
Crematory					S	S	S	P			
Dental Office		S	S	S	S	P	P	P			
Department Store						P	P	P			
Distribution Center									P	P	
Doctor's Office		S	S	S	S	P	P	P			

Use	Zoning District										
	C-1	A-R	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-2	SC
Dormitory				S	P	S	S	S			
Driving Range		S						P			
Drug Store		S		S	S	P	P	P			
Dry Cleaning Establishment		S		S	S	P	P	P			
Dry Cleaning Plant								S	P	P	
Dwelling, Attached Single-Family				S	P	S	S				
Dwelling, Detached Single-Family	S	P	P	P	P	S	S				
Dwelling, Duplex		S	S	P	P	S	S				
Dwelling, Multi-Family				S	P	P	P				
Educational Facility, Private		P	P	P	P	S					
Educational Facility, Public		P	P	P	P	S					
Education Institution		P	P	P	P	S					
Emergency Care Medical Facility		S	S	S	S	P	P	P			
Equestrian Facility	S	S	S								
Ethanol Plant		S							S	S	
Fairground	P	P						S			
Farm Implement Sales						S	S	P	P	P	
Food Processing Establishment								S	P	P	
Fraternity House					P						
Funeral Home or Mortuary					S	S	S	P			
Gas Station						S	P	P	P	P	
Go-Kart Facility		S						P			
Golf Course		S	S	S							
Golf Course, Miniature		S						P			
Greenhouse, Retail		P						P	P	P	
Greenhouse, Wholesale		S						S	P	P	
Grocery Store						P	P	P			
Group Home	S	P	P	P	P	S	S				
Gun Shop								S	P	P	
Hazardous Waste Disposal Facility									S	P	
Health Club		S				P	P	P			
Helipad						S	S	S	S	S	
Heliport						S	S	S	S	S	
Home Occupation		S	S	S	S						
Homeless Shelter					S		S	P			
Hospital		S			S	P	P	P			
Hotel						P	P	P			
Incinerator									S	S	
Industrial Waste Facility									S	S	
Integrated Commercial Center								P			

Use	Zoning District										
	C-1	A-R	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-2	SC
Junkyard										S	
Juvenile Detention Facility		S							S		
Kennel, Commercial		S						P			
Laboratory, Commercial								S	P	P	
Laboratory, Wet								S	P	P	
Landscaping Business Establishment								P	P	P	
Laundromat					S	S	P	P			
Library		S	S	S	S	P	P	P			
Liquor Store						P	P	P			
Lumberyard								P	P	P	
Machine Shop								S	P	P	
Manufactured Home	S	S			S						
Manufactured Home Park or Subdivision		S			S						
Manufactured Home Sales								S			
Manufacturing, Heavy										P	
Manufacturing, Light									P	P	
Meat Processing Establishment										S	
Medical or Dental Lab								S	P	P	
Mental Health Facility		S		S	P	S	S				
Mining		S								S	
Mobile Home	S	S			S						
Mobile Home Park or Subdivision		S			S			S			
Mobile Home Sales								S			
Mobile Home, Office		S			S			S			
Modular Home	S	P	P	P	P	S	S				
Modular Home Sales							P	P			
Motel						S	S	P			
Motorcycle Sales						S	S	P			
Movie Theater		S				P	P	P	P		
Movie Theater, Cineplex		S						P	P		
Movie Theater, Drive-In		S									
Museum					P	P	P	P			
Newspaper Publishing						P	P	P	P	P	
Nursery, Retail		P						P	P	P	
Nursery, Wholesale		S						S	P	P	
Nursing Home		S		S	P	S	S				
Office Research Park								S	P	P	
Office, Professional and Business		S	S	S	S	P	P	P	P	P	
Office Park								P	P		
Oil Change Facility							S	P	P		

Use	Zoning District										
	C-1	A-R	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-2	SC
Orchard	P	P	P								S
Park, Public	P	P	P	P	P						S
Parking Area/Lot	S	S	S	S	P	P	P	P	P	P	S
Parking Garage, public					S	S	S	S	S	S	
Pawn Shop						P	P	P			
Personal Services					S	P	P	P	S		
Pet Shop						P	P	P			
Pool Hall						P	P	P	P	P	
Power Plant	S								S	S	
Print Shop						P	P	P	P	P	
Printing Plant									P	P	
Psychiatric Hospital					S	P	P	P			
Race Track		S									
Radio Studio		S				S	S	S	P	P	
Recreation Campground	S	S									
Recreational Facility, Commercial		S				S	S	P			
Recreational Vehicle Sales						S	S	P	P	P	
Recreational Vehicle Storage, Outdoor						S	S	P	P	P	
Recycling Facility								S	P	P	
Recycling Plant									S	S	
Rendering Plant									S	S	
Research and Development Facility								S	P	P	
Research Park								S	P	P	
Resort	S										
Rest Home		S		S	P	S	S				
Restaurant		S			S	P	P	P	S	S	
Retail, Free Standing (100,000 GSF or more)							S	P	P		
Retail, Free Standing (20,000 to 99,999 GSF)		S				S	P	P	P		
Retail, Shopping Center (400,000 to 599,999 GSF)								P	P		
Retail, Shopping Center (600,000 GSF or more)								P	P		
Retail, Shopping Center (Less than 400,000 GSF)		S					S	P	P		
Retail, Specialty (Less than 20,000 GSF)		S				P	P	P			
Riding Stable	S	S									
Sanitary Landfill											S
School, College					P	P	P	P	P	P	
School, Dance					S	P	P	P			
School, Trade or Business					P	P	P	P	P	P	
School, University					P	P	P	P	P	P	
Scrap Metal Yard											S
Sexually Oriented Business									S	S	
Shooting Range, Indoor									S	S	

Use	Zoning District										
	C-1	A-R	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-2	SC
Shooting Range, Outdoor		S							S	S	
Skatepark	P	P	P	P	P						
Stable, Commercial	S	S									
Stable, Private	S	S									
Stadium, Coliseum, Athletic Field		S	S	S	S	P	P	P			
Storage, Self Service							S	P	P	P	
Storage Yard										S	
Supermarket					S	P	P	P			
Tanning Salon or Studio						P	P	P			
Tattoo Parlor/Body Piercing Studio						S	P	P			
Taxi Business						S	P	P	P	P	
Television Studio		S				S	S	S	P	P	
Temporary Classroom		S	S	S	S	S					
Temporary Office		S	S	S	S	S	S	S	S	S	
Temporary Residence		S	S	S	S						
Theater, Indoor		S				P	P	P	P		
Tire Sales or Service						P	P	P			
Tobacco Specialty Store						P	P	P	P	P	
Truck Stop								S	P	P	
Truck Terminal								S	P	P	
Truck Wash								S	P	P	
Used Car Lot						S	S	P			
Veterinary Clinic/Hospital		S				S	S	P			
Video Store						P	P	P			
Warehouse							S	S	P	P	
Water Park	S	S			S		P	P			S
Wholesale Business								S	P	P	
Wildlife/Nature Preserve	P										P
Wind Farms		S							P	P	
Winery	P	P									

Legend:

P--Permitted Use

S--Special Exception Use

Blank--Prohibited use

City of Crawfordsville: Parking Schedule

Use	Minimum Parking Requirements
Agricultural Business	1 per 1,000 sq.ft. gross floor area
Agricultural Industry	1 per 1,000 sq.ft. gross floor area
Airport	1 per tie down and hangar space
Antique Store	1 per 600 sq.ft. gross floor area
Arcade	1 per 200 sq.ft. gross floor area
Art Gallery	1 per 300 sq.ft. gross floor area
Automobile Sales	1 per 250 sq.ft. gross floor area interior space, plus 1 per 2,000 sq.ft. exterior sales area, plus 2 per service bay
Automobile Supply Retail Establishment	1 per 300 sq.ft. gross floor area
Automobile Service	1 per 300 sq.ft. gross floor area plus 2 per service bay
Bakery, Retail	1 per 300 sq.ft. gross floor area
Banks and Financial Establishments	1 per 250 sq.ft. gross floor area
Barber and Beauty Shops	1 per 200 sq.ft. gross floor area
Batting Cage	1 per cage plus 2 additional spaces
Boarding House	1 per room plus 2 additional spaces
Boat Ramp	1 per ramp plus 5 trailer spaces
Bowling Alley	4 per lane
Brewery	1 per 1,000 sq.ft. gross floor area
Brewpub	1 per 200 sq.ft. gross floor area
Bulk Fuel Storage	1 per 300 sq.ft. gross floor area office space
Car Wash	4 spaces per stall
Catering	1 per 400 sq.ft. gross floor area
Cemetery	1 per 4 seats in assembly area
Church or other place of worship	1 per 4 seats
Circus and Carnival Site	1 per 500 sq.ft. recreation area
Concrete Batching Plant	1 per 750 sq.ft. gross floor area
Contractor Office	1 per 500 sq.ft. gross floor area
Convenience Store	1 per 350 sq.ft. gross floor area
Day Care Center	1 per 350 sq.ft. gross floor area
Day Care Center, Adult	1 per 350 sq.ft. gross floor area
Day Care Home	1 per 350 sq.ft. gross floor area in addition to required residential parking
Day Spa	1 per 250 sq.ft. gross floor area
Department Store	1 per 300 sq.ft. gross floor area
Driving Range	2 per tee plus 3 additional spaces
Drug Store or Pharmacy	1 per 300 sq.ft. gross floor area
Dry Cleaning (Retail)	1 per 500 sq.ft. gross floor area
Eating and Drinking Places	1 per 200 sq.ft. gross floor area

Use	Minimum Parking Requirements
Essential Services	1 per 250 sq.ft. gross floor area
Farm Implement Sales	1 per 600 sq.ft. gross floor area
Fireworks Sales	1 per 200 sq.ft. gross floor area
Fast-Food	1 per 200 sq.ft. gross floor area plus any required drive-in spaces
Fire Station	1 per 250 sq.ft. gross floor area
Forestry, wildlife	1 per 5,000 sq.ft. land area
Fraternity House	2 per 3 bedrooms plus 1 per 50 sq.ft. meeting rooms
Funeral Home or Mortuary	1 per 4 seats in assembly area
Furniture and Appliance Store	1 per 500 sq.ft. gross floor area
Game Preserve	1 per 5,000 sq.ft. land area
Garden Shop	1 per 300 sq.ft. gross floor area
Gasoline Station	1 per 200 sq.ft. gross floor area, pump location area not included
Golf Course	4 per hole
Golf Course, Miniature	2 per hole plus 2 additional spaces
Greenhouse and Nursery	1 per 400 sq.ft. gross floor area
Grocery Store	1 per 200 sq.ft. gross floor area
Health and Fitness Center	1 per 300 sq.ft. gross floor area
Home Occupation	1 in addition to required residential parking
Hospital or clinic	1 per 200 sq.ft. gross floor area
Hotel	1 per room plus 1 per 400 sq.ft. meeting and restaurant space
Internet and Mail Oder Retailer	1 per 350 sq.ft. gross floor area
Irrigation Facility	NA
Junkyard	1 per 10,000 sq.ft. lot area
Kennel	1 per 400 sq.ft. gross floor area
Landscaping Company	1 per 300 sq.ft. gross floor area office space
Laundry (Retail)	1 per 200 sq.ft. gross floor area
Library	1 per 1,000 sq.ft. gross floor area
Locksmith	1 per 500 sq.ft. gross floor area
Lumberyard	1 per 300 sq.ft. of retail sales area plus 1 per 1,000 sq.ft. open display area
Machine Shop, Non-Production	1 per 500 sq.ft. gross floor area
Manufactured Home Subdivision	2 spaces per dwelling unit
Manufactured Home, Type I	2 spaces per dwelling unit
Manufactured Home, Type II (two-family)	2 spaces per dwelling unit
Manufactured Home, Type II (single-family)	2 spaces per dwelling unit
Manufacturing and processing of explosives	1 per 500 sq.ft. gross floor area

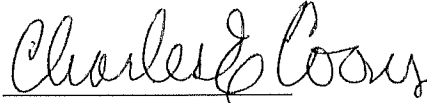
Use	Minimum Parking Requirements
Manufacturing, General	1 per 1,000 sq.ft. gross floor area up to 20,000 sq.ft., plus 1 per 2,000 sq.ft. gross floor area over 20,000 sq.ft.
Manufacturing, Light	1 per 1,000 sq.ft. gross floor area up to 20,000 sq.ft., plus 1 per 2,000 sq.ft. gross floor area over 20,000 sq.ft.
Medical Office	1 per 300 sq.ft. gross floor area
Mineral Extraction	1 per 1,000 sq.ft. gross floor area
Mobile Home	2 spaces per dwelling unit
Mobile Home Sales	1 per 250 sq.ft. gross floor area office space plus 1 per 2,000 sq.ft. lot area
Motel	1 per room plus 1 per 400 sq.ft. meeting and restaurant space
Multi-Family Dwelling	2 spaces per dwelling unit
Municipal Building	1 per 300 sq.ft. gross floor area
Natural Area, Undisturbed	NA
Nursing Home	1 per 3 beds at maximum capacity
Office	1 per 300 sq.ft. gross floor area
Pawn Shop	1 per 300 sq.ft. gross floor area
Personal and Professional Services	1 per 200 sq.ft. gross floor area
Photography Studio and Supply	1 per 300 sq.ft. gross floor area
Power Plant	1 per 2,000 sq.ft. gross floor area
Printing and Duplicating (Retail)	1 per 300 sq.ft. gross floor area
Public Park	1 per 5,000 sq.ft. land area plus 1 per 400 sq.ft. gross floor area of buildings
Public Playground	1 per 2,500 sq.ft. land area
Public Transportation	1 per 200 sq.ft. gross floor area
Public Utility Building	1 per 300 sq.ft. gross floor area of office space
Railroad Terminal	1 per 2,000 sq.ft. gross floor area
Recreational Facility (Commercial)	1 per 100 sq.ft. gross floor area
Recreational Facility (Non-Commercial)	1 per 100 sq.ft. gross floor area
Research Laboratory	1 per 300 sq.ft. gross floor area
Restaurant	1 per 200 sq.ft. gross floor area
Restaurant, Drive-In	Drive-in portion only: 2 per window
Retail Business	1 per 200 sq.ft. gross floor area
Riding Stable	1 per 3 stalls
Roadside Stand	1 per 250 sq.ft. gross floor area
Roller Skating	1 per 200 sq.ft. gross floor area
Sanitary Landfill	1 per 10,000 sq.ft. lot area
Satellite Communication & Video Rental	1 per 300 sq.ft. gross floor area
School, College	1 per 350 sq.ft. non-residential gross floor area plus 1.5 per dwelling unit

Use	Minimum Parking Requirements
School, Commercial	1 per 350 sq.ft. gross floor area
School, Nursery	1 per 350 sq.ft. gross floor area
School, Public or Parochial	2 per classroom plus 1 per 4 seats in auditorium
Service Station	1 per 300 sq.ft. gross floor area plus 2 per service bay
Sewage Treatment Plant	1 per 400 sq.ft. gross floor area office use plus 1 per 800 sq.ft. other uses
Single Family Dwelling	2 spaces per dwelling unit
Specialty Store	1 per 350 sq.ft. gross floor area
Stockyard	1 per 400 sq.ft. gross floor area office use plus 1 per 800 sq.ft. other uses
Supermarket	1 per 200 sq.ft. gross floor area
Supply Yard	1 per 1,000 sq.ft. gross floor area (including outdoor storage area)
Swimming Pool	1 per 250 sq.ft. gross floor area office space plus 1 per 100 sq.ft. water surface
Tanning Salon or Studio	1 per 250 sq.ft. gross floor area
Taxi	1 per 300 sq.ft. gross floor area
Theater	1 per 4 seats plus one per 100 sq.ft. gross floor area of common area
Timber Cutting, Commercial	1 per 300 sq.ft. gross floor area office space
Tire Sales or Service	1 per 300 sq.ft. gross floor area office space plus 1 per 1,000 sq.ft. gross floor area other space
Transportation Facilities	NA
Truck Terminal	1 per 3,000 sq.ft. gross floor area
Two-Family Dwelling	2 spaces per dwelling unit
Veterinary Clinic/Hospital	1 per 250 sq.ft. gross floor area
Warehouse	1 per 1,000 sq.ft. gross floor area
Water Treatment Plant	1 per 400 sq.ft. gross floor area office use plus 1 per 800 sq.ft. other uses
Welding Shop	1 per 500 sq.ft. gross floor area
Wholesale Business	1 per 1,000 sq.ft. gross floor area
Wireless Communication Facilities	1 per 2,000 sq.ft. gross floor area

ORDINANCE NO. 4 -2009

AN ORDINANCE AMENDING THE ZONING CODE FOR THE CITY OF
CRAWFORDSVILLE, INDIANA

Adopted and passed by the Common Council of the City of Crawfordsville, Indiana,
this 9th day of March, 2009.



Charles E. Coons, Mayor &
Presiding Officer

PRESENTED TO ME BY THE MAYOR OF THE CITY OF CRAWFORDSVILLE,
INDIANA, THIS 9th DAY OF March, 2009.



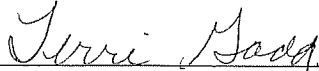
Terri Gadd, Clerk Treasurer

THIS ORDINANCE APPROVED AND SIGNED BY ME, THIS 9th DAY OF
March, 2009.



Charles E. Coons, Mayor

ATTEST:



Terri Gadd, Clerk Treasurer
City of Crawfordsville

General Provisions. (A) All provisions of existing ordinances in conflict with this ordinance are hereby repealed.

(B) In the event that any provision of this ordinance is held to be invalid by a court of competent jurisdiction, all other provisions of this ordinance not otherwise invalidated shall remain in full force and effect.

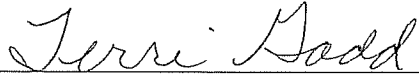
(C) This ordinance shall be effective upon passage.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF CRAWFORDSVILLE, INDIANA, THIS 9th DAY OF MARCH, 2009.



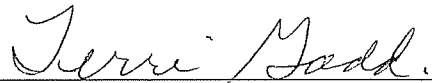
Charles E. Coons, Mayor & Presiding Officer

ATTEST:



Terri Gadd, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Crawfordsville, Indiana, this 9th day of March 2009.



Terri Gadd, Clerk-Treasurer

APPROVED by me as Mayor of the City of Crawfordsville, Indiana, this 9th day of March, 2009.



Charles E. Coons, Mayor
City of Crawfordsville, Indiana

RESOLUTION NO. 1-2009

A RESOLUTION OF THE PLAN COMMISSION OF THE
CITY OF CRAWFORDSVILLE, INDIANA
APPROVING PROPOSED CHANGES TO THE ZONING CODE
AND CERTIFYING THOSE CHANGES TO THE COMMON COUNCIL

WHEREAS, pursuant to Indiana Code 36-7-4-600 et seq. the Plan Commission of the City of Crawfordsville, Indiana ("the Commission") has brought forth and considered proposed changes and amendments to the zoning code of the City;

WHEREAS, pursuant to Indiana Code 36-7-4-604, the Commission has held at least one public hearing with published notice and considered various public comments on the proposed changes and amendments to the zoning code;

WHEREAS, certain revisions were made to the proposed changes and amendments to the zoning code as a result of input from the public and the Commission and its staff, and those revisions satisfy the Commission; and

WHEREAS, the present 1970 zoning code of the City is outdated and of little practical use in land use control matters;

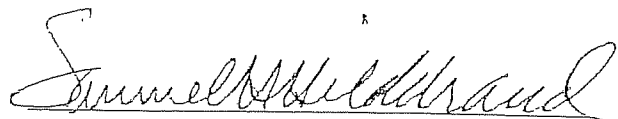
NOW, THEREFORE, pursuant to Indiana Code 36-7-4-605, and having considered the proposed changes and amendments to the zoning code and held at least one public hearing as required by law, the Crawfordsville Plan Commission now approves the proposed changes and amendments to the zoning code of the City of Crawfordsville, as attached to this Resolution, and certifies same to the Crawfordsville Common Council by a vote of:

6 Plan Commissioners in favor of such recommendation,
1 against such recommendation, and
2 abstaining or not present.

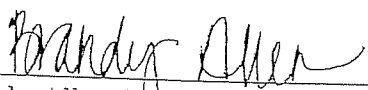
The Director of the Department of Planning & Community Development of the City of
Crawfordsville is hereby directed to forward this Certification, along with a copy of the proposed
changes and amendments to the zoning code, as adopted by the Commission, to the
Crawfordsville Common Council for its consideration pursuant to Indiana Code 36-7-4-607/609.

So resolved and certified by Crawfordsville Plan Commission, this 20th day of

January, 2009.


President, Crawfordsville Plan Commission

ATTEST:



Brandy Allen, Director, Department of
Planning & Community Development