



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Plan Commission

DATE: 4/1/2026 at 6:00 PM

**ADDRESS: Fishers Municipal Center Theater,
1 Municipal Drive, Fishers, IN 46038**

Members of the public can [submit comments to the board](#) before 12 p.m. on the day of the meeting. Members of the public may [stream the live meeting online](#).

See the list of board members at [FishersIN.gov/PlanCommission](https://fishersin.gov/PlanCommission).

1. **Call to Order**
2. **Pledge of Allegiance to The Flag of The United States**
3. **Welcome Cody Kendall**
4. **Roll Call**
5. **Approval of Previous Minutes**
 - a. 3-4-26
6. **Public Hearings**
 - a. **IKEA PUD Text Amendment – ~~Withdrawn~~**

Address: 11400 Ikea Way, Fishers, IN
Parcel: 15-15-06-00-11-001.000
Case: TA-26-1
Request: Consideration of a text amendment to the IKEA PUD, including the subdivision of one Lot 1 (IKEA) and 3 Blocks, and to update the uses and standards of the proposed Block A and Block B.

Petitioner: Max Mouser

Planner: Christy Cashin

b. **ICC Floors Plus**

Address: 9810 Carney Drive

Parcel: 15-14-12-00-05-001.001

Case: RZ-26-3

Request: Consideration of a rezone request of 6.17 acres C3 to I1 with conditions for an existing 62,105 square foot building at the common address of 9810 Carney Drive.

Petitioner: ICC Floors Plus

Planner: Ross Hilleary

c. **UDO Update**

Address: City Wide

Parcel: City Wide

Case: TA-26-3

Request: Consideration of a text amendment to the Unified Development Ordinance (UDO) to Chapter 3. Zoning Districts, Chapter 5. Use Regulations, Chapter 6. Development Standards, and Chapter 12. Definitions.

Petitioner: City of Fishers

Planner: Ross Hilleary

d. **UDO Update**

Address: City Wide

Parcel: City Wide

Case: TA-26-4

Request: Consideration of a text amendment to the Unified Development Ordinance (UDO) to Chapter 2. Administration, Chapter 11. Enforcement & Penalties, and Chapter 12. Definitions.

Petitioner: City of Fishers

Planner: Ross Hilleary

7. **Staff Communication**

8. **Summary of Council Action**

9. **Adjournment**

**CITY OF FISHERS
ADVISORY PLAN COMMISSION MINUTES
Fishers Municipal Center Theater
March 4, 2026**

The meeting of the Advisory Plan Commission convened at 6:00 p.m.

Mr. Stevenson confirmed quorum. Rick Fain, Pete Peterson, Howard Stevenson, Kim Logan, Selina Stoller, Tiffanie Ditlevson, Angie Frazier, Bruce Molter were present. Ms. Ditlevson arrived to the meeting late due to traffic and weather and was not present to vote.

Others present: Rodney Retzner, Ross Hilleary, Larry Lannan, Christy, Cashin, Kay Prange.

Mr. Stevenson asked for a Motion for the Minutes of the 2-4-26 Meeting. Mr. Peterson made a Motion to approve, seconded by Mr. Fain. The Minutes were approved, 6-0.

Elections: Finishing up Elections from the 2/4/26 meeting, Mr. Stevenson opened the Meeting to nominations. Pete Peterson nominated Selina Stoller as Plat Committee Member from Plan Commission. Pete Peterson nominated Howard Stevenson as President from Plan Commission president to PUD and Riverplace PUD Committees. Mr. Stevenson reviewed Secretary appointments, Recording Secretary appointments, Legal Counsel and Legal Publications. All were approved by all members.

Public Hearing:

THE IKEA PUD TEXT AMENDMENT WAS CONTINUED.

FISHERS 2040 (THROUGHFARE PLAN)

Address: City Wide

Parcel: City Wide

Case: TA-26-2

Request: Consideration of a text amendment to the Fishers 2040 Plan to update the Throughfare Plan.

Petitioner: City of Fishers

Planner: Ross Hilleary

Ross Hilleary presented the Staff Report, confirming that 116th and Allisonville will not be a roundabout. There were no questions from the Committee.

Mr. Stevenson asked for a Motion. The committee made a collective motion and second and the Motion was passed 6-0.

The meeting was adjourned at 6:09.

Respectfully Submitted by:

Kay Prange, Recording Secretary

Advisory Plan Commission Staff Report

Meeting Date: April 1, 2026

DEPARTMENT CONTACT:

Ross Hilleary

CASE NUMBER:

RZ-26-3

PETITIONER:

ICC Floors Plus

PROPERTY ADDRESS/LOCATION:

9810 Carney Drive, 15-14-12-00-05-001.001

REQUEST: Consideration of a rezone request of 6.17 acres C3 to I1 with conditions for an existing 62,105 square foot building at the common address of 9810 Carney Drive.

APPLICABLE REGULATIONS:
City of Fishers Unified
Development Ordinance (UDO)

EXISTING ZONING:
C3, I-69 Overlay

FISHERS 2040:
Regional Center

Lot Size: 6.17 Acres

LOCATION MAP



STAFF RECOMMENDATION

Favorable Recommendation

Unfavorable Recommendation

No Recommendation

ZONING HISTORY:

The Zoning of this property is C3 Commerical and is within the I-69 Overlay District.



Zoning Map

COMPREHENSIVE PLAN:

The Comprehensive Plan calls for this area to be Regional Center. *Regional centers include targeted areas near arterials or major collectors that are intended to provide daily retail, major retail and grocers and other conveniences to serve the community within a three to five-mile radius. These areas act as a regional commercial node for surrounding residential neighborhoods, office and commercial development, with higher densities and intensities of commercial retail, employment centers, multi-family, public spaces and institutional uses.*

Recommended land uses include regional commercial and retail uses, supporting retail and office, hotel, entertainment, outdoor lifestyle centers.

REZONE REQUEST:

ICC Holdings, LLC dba ICC Floors Plus has submitted consideration of a rezone request of 6.17 acres C3 to I1 with conditions for an existing 62,105 square foot building formally know as the Kittle’s building.

ICC Floors Plus plans to use the building as a stone and quartz gallery and fabrication center for countertops and fireplaces for both residential and commerical customers.

The 62,105 square foot building is to be used for the following, subject to final design of interior space by Smith Development & Construction, Inc.

- 40 % warehouse of product
- 20 % gallery space
- 20% fabrication
- 20 % office fabrication

ICC Floors Plus plans to add additional truck docks, make site improvements including landscaping and parking, and update the building façade. These improvements will require both an Improvement Location Permit (ILP) and a Commercial Building Permit.

The building is over 25,000 square feet which requires a Commerical Change of Use (CUP-26-3) before City Council currently in review with Resolution R031626C.

Staff recommend the following condition:

- prohibit outdoor storage

A Petitioner Packet includes concept plan with site improvements.

TRANSPORTATION:

No new curb cuts are proposed along Carney Drive (Private).

PUBLIC COMMENTS:

No Public Comments have been received at this time.

STAFF RECOMMENDATION:

When making their decision, Plan Commission shall be reasonable regard to:

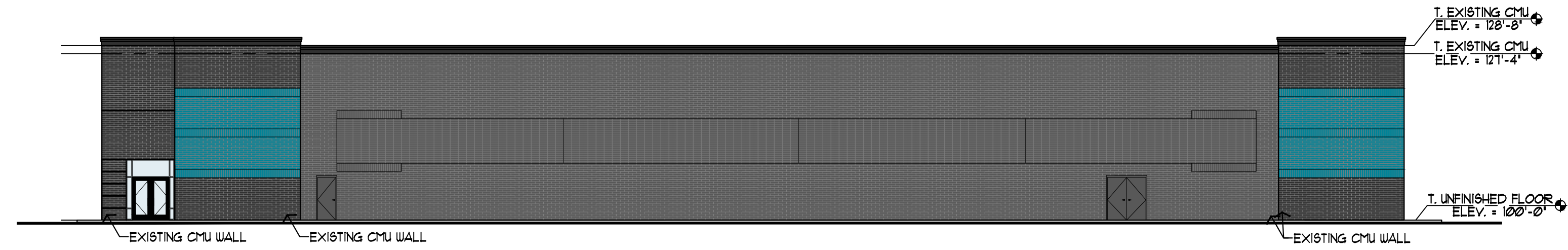
1. The Comprehensive Plan;
2. Current conditions and the character of structures and uses in each zoning district;
3. The most desirable use for which the land in each zoning district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Staff has a favorable recommendation with the proposed staff condition.

This item is anticipated to go to City Council at their April 20, 2026 meeting along side the Commerical Change of Use permit which will house all site improvement conditions.

STAFF RECOMMENDATION

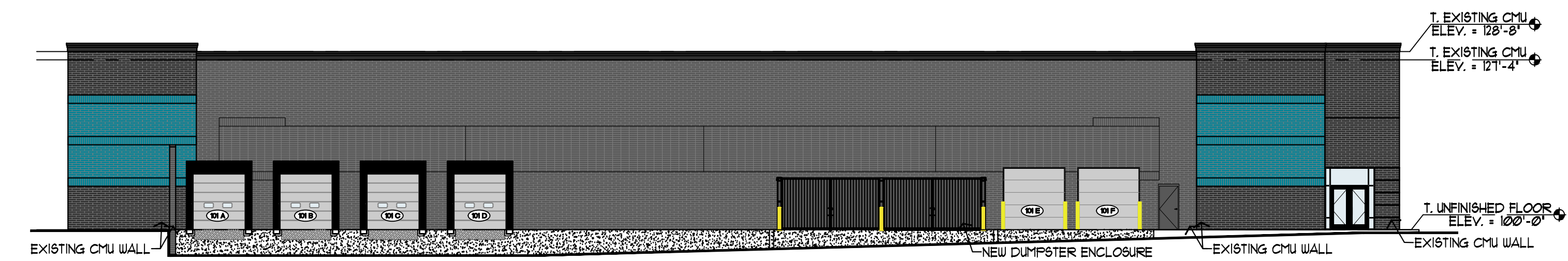
Favorable Recommendation Unfavorable Recommendation No Recommendation



1 NORTH ELEVATION
SCALE: 1/16" = 1'-0"



2 EAST ELEVATION
SCALE: 1/16" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



4 WEST ELEVATION
SCALE: 1/16" = 1'-0"

peterson ARCHITECTURE
298 south 10th street
suite 500
noblesville in 46060
p 317.770.9714
f 317.770.9718
studio@petersonarchitecture.com

RENOVATION
ICC FLOORS
9910 CARNEY DRIVE
FISHERS, INDIANA
SMITH DEVELOPMENT COMPANY

CITY REVIEW

MARCH 13, 2026

REVISIONS	
1	REVISION DATE
2	REVISION DATE
3	REVISION DATE
4	REVISION DATE
5	REVISION DATE

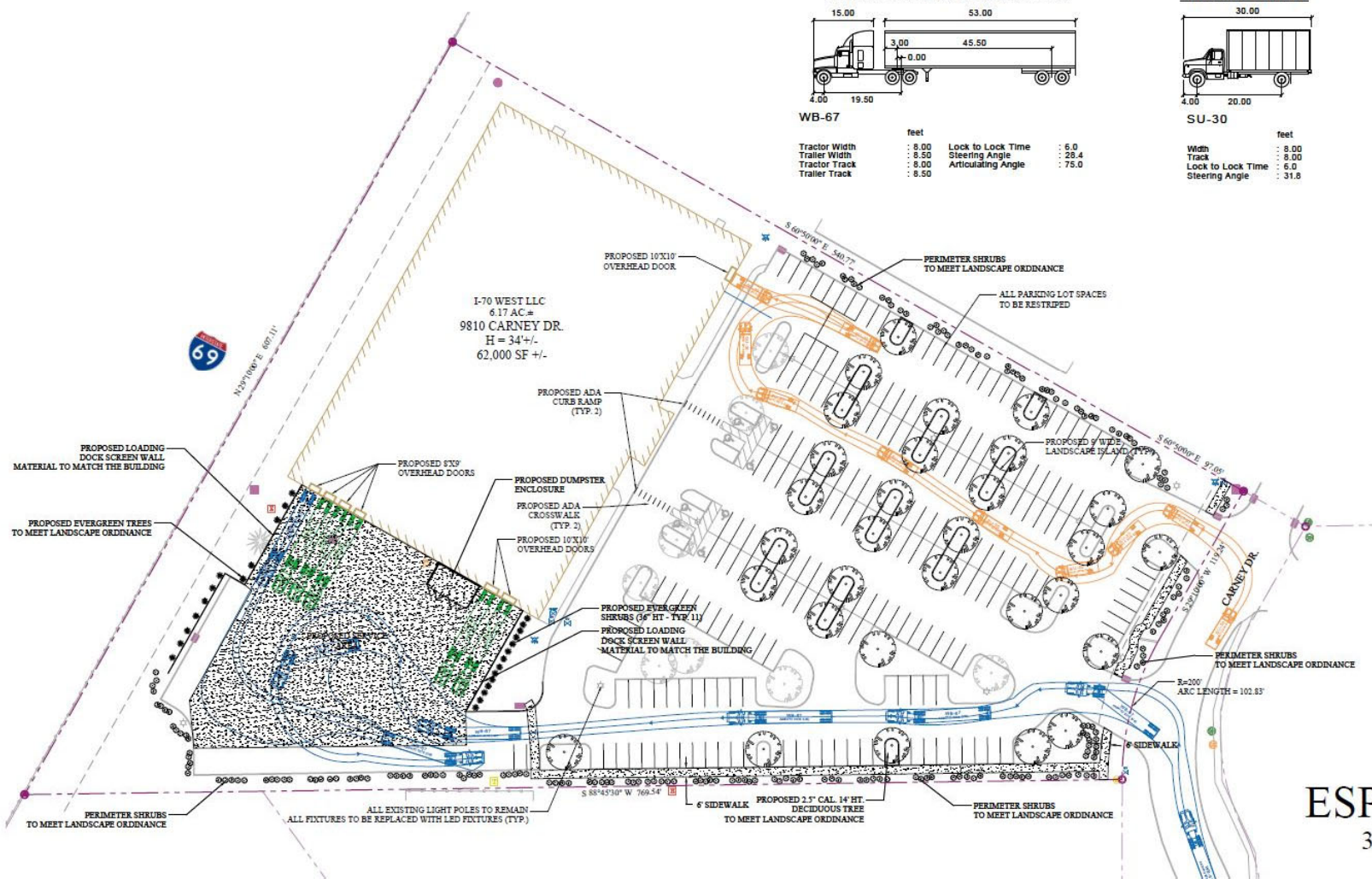
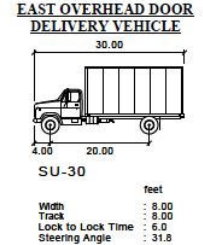
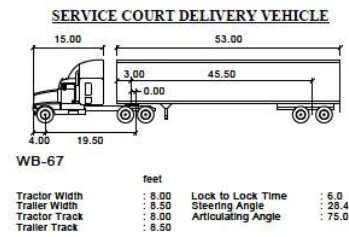
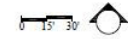
PLOT DATE: 2026-03-13
DRAWN BY: C. SLODERBECK
CHECKED BY: D. PETERSON
PROJECT NUMBER: 25-0252

ELEVATIONS

A201

THESE DRAWINGS ARE GIVEN IN CONFIDENCE AND SHALL BE USED ONLY IN PURSUANCE TO THE AGREEMENT WITH PETERSON ARCHITECTURE, P.C. NO OTHER USE OR REPLICATION MAY BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF PETERSON ARCHITECTURE, P.C. ALL OTHER COPYRIGHT AND COMMON LAW RIGHTS ARE HEREBY SPECIFICALLY RESERVED.

SITE/LANDSCAPE PLAN



ESP-02
3/13/26





ORDINANCE NO. 031626D
AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA

This is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance (“UDO”) for the City of Fishers (the “City”), previously enacted by the City pursuant to its authority under the laws of the State of Indiana IC 36-7-4 et seq., as amended.

WHEREAS, the City’s Plan Commission has conducted a public hearing on **April 1, 2026** for case RZ-26-3 as required by law in regard to the proposal to amend the City’s Official Zoning Map to designate the real estate identified on Exhibit A, further depicted in Exhibit B, attached hereto and incorporated herein (the “Real Estate”), as within the **I1 – Industrial Zoning District** (additionally maintaining the Real Estate within the **I-69 Overlay District**); and

WHEREAS, the Plan Commission at its **April 1, 2026** meeting sent a _____ recommendation to the Fishers City Council by a vote of ___ in favor and ___ opposed; and

WHEREAS, to support its long-term vision for the City, the Council desires to adopt certain amendments to the Official Zoning Map.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AS FOLLOWS:

Section 1. Declaration. The City’s Official Zoning Map is hereby amended to designate the Real Estate as within the I1 – **Industrial Zoning District** with the following limitation:

The following uses shall be prohibited: **Outdoor Storage**

Section 2. Purpose and Intent. The purpose and intent of this zoning map amendment is to support the City’s long-term vision for the City.

Section 3. Approval. This amendment shall become effective upon its adoption and publication in accordance with Indiana law. Development of the Real Estate shall be governed entirely by the provisions of the **I1- Industrial Zoning District** and the **I-69 Overlay District** with conditions and the provisions of the UDO, the limitation of Section 1. above and subject to the requirements for implementation as provided in Section 5. below.

Section 4. Concept Plan. Improvements to the property shall be consistent and substantially similar as shown and outlined in the conceptual plan depicted in Exhibit C.

Section 5. Implementation. The amendment identified in Section 1 above shall only be effective once ICC Holdings LLC takes title to the subject Real Estate and only for so long as ICC Holdings LLC retains title to the subject Real Estate and continues use as proposed and discussed in the official meeting minutes of the Plan Commission of the City of Fishers and the meeting of the Fishers City Council, which are both incorporated herein by reference and made a part hereof . Further, this amendment shall not become effective and the Zoning Map shall not reflect the zone change to the Real Estate until the City is notified that ICC Holdings LLC has, in fact, taken title to the subject Real Estate and the City has been provided with a copy of the recorded deed of transfer and if such recorded deed of transfer is not provided within three (3) months of the approval of this amendment, such approval shall be automatically revoked. If ICC Holdings LLC does not take title to the Real Estate within the required timeframe discussed above or later transfers title to the Real Estate, or the use of the Real Estate is not in accordance with what was proposed and discussed in the official meeting minutes, as discussed above, then the Zoning Map shall revert to the zoning in effect on April 1, 2026.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this ___ day of April, 2026.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

ABSTAIN

NAY

	John DeLucia, President		
	Tiffanie Ditlevson, Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the **20th day of April, 2026**, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL



Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett

ORDINANCE NO. 031626D

Exhibit A

Legal Description of Real Estate

Acreage 6.17 Section 12, Township 17, Range 4 NORTH BY NORTHEAST BUSINESS PARK Block Pt C, Pt D

9810 Carney Drive Fishers, IN 46037

15-14-12-00-05-001.001

Exhibit B
Location Map



9810 Carney Drive Fishers, IN 46037
15-14-12-00-05-001.001

Advisory Plan Commission Staff Report

Meeting Date: April 1, 2026

DEPARTMENT CONTACT:

Ross Hilleary

CASE NUMBER:

TA-26-3

PETITIONER:

City of Fishers

PROPERTY ADDRESS/LOCATION:

City Wide

REQUEST: Consideration of a text amendment to the Unified Development Ordinance (UDO) to Chapter 3. Zoning Districts, Chapter 5. Use Regulations, Chapter 6. Development Standards, and Chapter 12. Definitions.

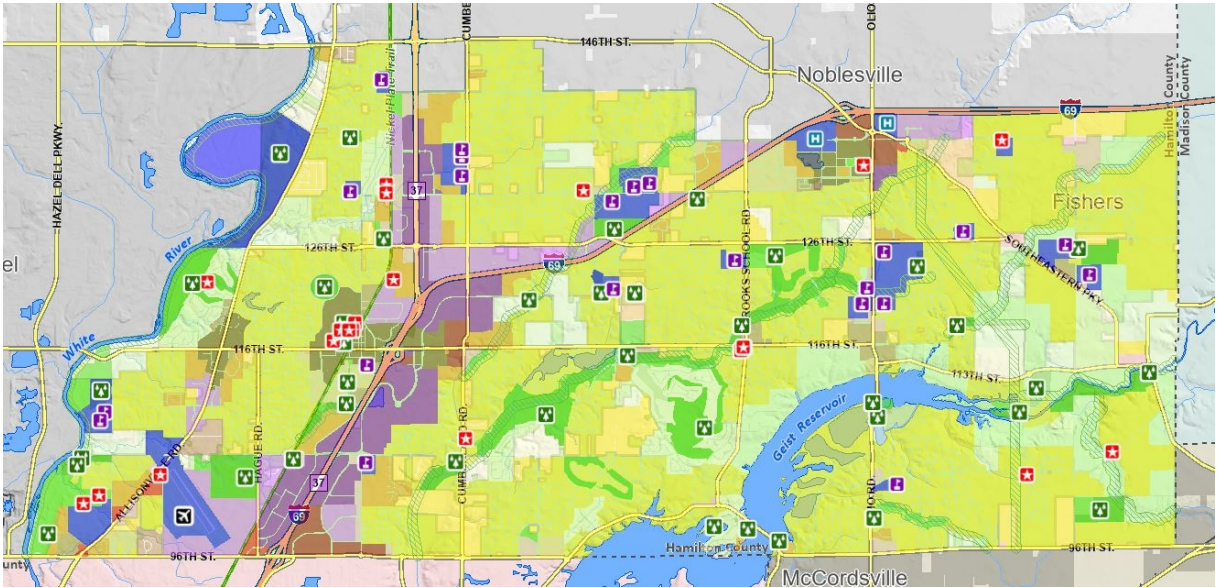
APPLICABLE REGULATIONS:
City of Fishers Unified
Development Ordinance (UDO)

EXISTING ZONING:
N/A

FISHERS 2040:
N/A

Lot Size: N/A

LOCATION MAP



STAFF RECOMMENDATION

Favorable Recommendation

Unfavorable Recommendation

No Recommendation

TEXT AMENDMENT REQUEST:

Consideration of a text amendment to the Unified Development Ordinance (UDO) to Chapter 3. Zoning Districts, Chapter 5. Use Regulations, Chapter 6. Development Standards, and Chapter 12. Definitions. Here is a summary:

Chapter 3. Zoning Districts:

Planned Unit Development

- 3.4.5. Define PUDC, PUDM, PUDR
- 3.4.5. Remove minimum project size and parent tract

Chapter 5. Use Regulations:

Use Table

- 5.1.5. Add Columbarium to the Permitted Use Table
- 5.1.5. Update Outdoor Entertainment and Recreation title
- 5.1.5. Update zoning districts for Crematorium and Funeral Homes
- 5.3.1. Add Columbarium to the Civic Use

Personal Services

- 5.4.7. Update personal services

Self Services Storage

- 5.5. Limit sqft of office space at self-service storage

Temporary Uses

- 5.8.2. Sunset inactive construction trailers
- 5.8.2. Provide residents with flexibility for temporary trash receptacles for home improvements

Chapter 6. Development Standards:

Architecture Design Standards

- 6.3.5.2. Increase modulation along long façade planes
- 6.3.5.2. Incorporate water table 2' in height on elevations
- 6.3.5.2. Update transparent elevation language
- 6.3.5.3. Remove repeated roof standard
- 6.3.5.3. parapet wall shall be enclosed
- 6.3.5.3. Removal of split-face concrete masonry unit (CMU) as a building material

Lighting Standards

- 6.5.3. Reduce light levels adjacent to residential from .5 to 0 foot-candles
- 6.5.10. Allow seasonal lighting of religious symbols

TA-26-3

April 1, 2026

Recreational Vehicles Standards

- 6.10.2. Update title to include Utility Trailers & Watercraft
- 6.10.2. Update storage of recreation vehicle language for Single Family and Multi-Family

Incidental Recyclable Material Storage Standards

- 6.10.5. Add Incidental Recyclable Material Storage, Pallet Storage, Grease Container

Signage Standards

- 6.17.4. Prohibit neon on building sign or along building
- 6.17.8. Update banner sign image
- 6.17.9. Add Construction Signage language for post signs and banners signs on fence

Chapter 12. Definitions:

Updated the following:

- *Architectural Features*
- *Hotel, Extended Stay*

Added the following:

- *Crematorium*
- *Columbarium*
- *Fenestration*
- *Funeral Home*
- *Flex Building*
- *Spandrel Glass Windows*
- *Self-Service Storage Facility*
- *Tattoo Parlor*
- *Watercraft*
- *Utility Trailer*

PUBLIC COMMENTS:

No Public Comments have been received at this time.

STAFF RECOMMENDATION:

When making their decision, Plan Commission shall be reasonable regard to:

1. The Comprehensive Plan;
2. Current conditions and the character of structures and uses in each zoning district;
3. The most desirable use for which the land in each zoning district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Staff has a favorable recommendation.

This item is anticipated to go to City Council at their April 20, 2026 meeting.

STAFF RECOMMENDATION

Favorable Recommendation Unfavorable Recommendation No Recommendation

ORDINANCE NO. 031626C
AN ORDINANCE OF THE COMMON COUNCIL
AMENDING THE ZONING ORDINANCE
OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA.

WHEREAS, this is an ordinance to amend the Zoning Ordinance of the City of Fishers (the “City”).

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. TA-26-3 as required by law in regard to the Text Amendment; and

WHEREAS, the Plan Commission, at its meeting on April 1, 2026 sent a _____ recommendation to the Common Council by a vote of _____ in favor and _____ opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

Section 1. AMENDMENT. This Text Amendment amends certain sections of the Unified Development Ordinance;

Section 2. PURPOSE STATEMENT. The purpose of this ordinance is to refine certain regulatory language in the furtherance of the overall Purpose & Intent provisions of the following Chapter 3. Zoning Districts, Chapter 5. Use Regulations, Chapter 6. Development Standards, and Chapter 12. Definitions (Exhibit A).

UNLESS SPECIFICALLY AMENDED BY REFERENCE HEREIN, ALL REMAINING TERMS AND CONDITIONS OF THE COMPREHENSIVE PLAN SHALL CONTINUE IN FULL FORCE AND EFFECT AND ARE HEREBY RATIFIED AND AFFIRMED.

SO BE IT ORDAINED by the Common Council of The City of Fishers, Hamilton County, Indiana this 20th of April 2026.

ORDINANCE NO. 031626C

COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA

YAY

NAY

ABSTAIN

	John DeLucia, Member		
	Tiffanie Ditlevson, Member		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2027 at _____ p

ATTEST: _____

Jennifer L. Kehl, Fishers City Clerk



MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." Lindsey Bennett

Exhibit A

Unified Development Ordinance

Chapter 3. Zoning Districts

Section 3.4.5. PUD Planned Unit Development District.

A. Intent

The intent of the PUD District is to provide a relief mechanism from the prescriptive standards of a general use zoning district. The PUD District is intended to be used to achieve a higher quality of project design than could be accomplished through the strict application of a general use district or set of general use districts, without adversely impacting the adequate facilities required to serve the property and surrounding area. A PUD District is established through Council approval with a specific PUD District Ordinance establishing the development standards and use standards for each PUD District (see Sec. 10.2.16. Planned Unit Development). **A PUD can be one of the following categories:**

1. PUDC – Planned Unit Development Commercial, which shall have a commercial or nonresidential base zoning district

2. PUDM – Planned Unit Development Mixed Use, which shall have any combination of any residential or nonresidential base zoning district

3. PUDR – Planned Unit Development Residential, which shall have a residential base zoning district

Commented [RH1]: @Ross Hilleary

~~C. Minimum Project Size~~

~~The minimum project size for a PUD District shall be two (2) acres or more.~~

~~D. Minimum Parent Tract~~

~~The minimum parent tract area shall be as indicated in the PUD District Ordinance.~~

~~E. C. Development Requirements~~

Chapter 5. Use Regulations

Chapter 5.1.5. Permitted Use Table

Use Category Specific Use	Residential									Nonresidential						Other		Definition / Use Standard
	ER	R1	R2	R3	R4	R5	MF	TCR	MP	C1	C2	C3	EN	II	MA	AG	OS	
PUBLIC & INSTITUTIONAL																		
Columbarium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	Sec. 5.3.1.A. & C.
Place of Worship	SE	SE	SE	SE	SE	SE	SE	SE	-	SE	SE	SE	-	SE	-	SE	SE	Sec. 5.3.1.A. & C, D.

ORDINANCE NO. 031626C

School, Preschool through K-12	SE	SE	SE	SE	SE	SE	SE	SE	-	SE	SE	SE	-	SE	-	SE	SE	<i>Sec. 5.3.1.A. & D. E.</i>
COMMERCIAL	ER	R1	R2	R3	R4	R5	MF	TCR	MP	C1	C2	C3	EN	I1	MA	AG	OS	
Outdoor Entertainment and Recreation	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	P	<i>Sec. 5.4.5.</i>
Personal Service, except as provided below:	-	-	-	-	-	-	-	-	-	P	P	P	P*	-	P*	-	-	<i>Sec. 5.4.7.A. & B. D.</i>
Crematorium	-	-	-	-	-	-	-	-	-	-	-	P	-	P	-	-	-	<i>Sec. 5.4.7.B.</i>
Funeral Home	-	-	-	-	-	-	-	-	-	-	-	P	P*	-	-	-	-	<i>Sec. 5.4.7.C.</i>

Section 5.4.2.A. Indoor Entertainment and Recreation Use Category.

17. Wedding Chapel

Sec. 5.3.1. Civic

B. Cemetery

Land used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

1. **Wall and Fence Standards:** All cemeteries shall incorporate a perimeter fence or wall that is at least 48 inches tall but no taller than 72 inches. Fencing shall not be chain-link.
2. **Setback Standards:**
 - a. Any burial space shall be set back at least 100 feet from any existing or proposed easement or right-of-way.
 - b. Any permanent structure erected for the interment, entombment, or inurnment or human remains shall be set back at least 100 feet from the nearest property line.

C. Columbarium

A structure or room or space in a building or structure used or intended to be used for the inurnment of cremated human remains.

1. **Wall and Fence Standards:** All columbaria shall incorporate a perimeter fence or wall that is at least 48 inches tall but no taller than 72 inches. Fencing shall not be chain-link.
2. **Setback Standards:** All cemetery setback standards in Sec. 5.3.1.B.2. shall apply.

D. ~~C~~ Place of Worship

E. ~~D~~ School, Public or Private (K-12)

Sec. 5.4.5. Outdoor Entertainment and Recreation

A. Outdoor Entertainment and Recreation Use Category

ORDINANCE NO. 031626C

Uses, varying in size, providing daily or regularly scheduled recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures. Outdoor **entertainment and** recreation uses include, but are not limited to, the following uses as examples:

5.4.7. Personal Service

A. Personal Service Use Category

Facilities involved in providing personal or repair services to the public. Personal service uses include, but are not limited to, the following uses as examples:

1. Beauty/hair salon.
2. Catering establishment.
3. Cleaning establishment, dry-cleaning or laundry drop-off facility, laundromat.
4. Copy center.
- ~~5. Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium.~~
- ~~5. 6.~~ Locksmith.
- ~~6. 7.~~ Massage therapy or day spas.
- ~~7. 8.~~ Nail salons.
- ~~8. 9.~~ Optometrist.
- ~~9. 10.~~ Palmist, psychic, medium, fortune telling.
- ~~10. 11.~~ Repair of appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch.
- ~~11. 12.~~ Tailor, milliner, upholsterer.
12. Tattoo parlors.
- ~~13. Wedding chapel.~~

B. Crematorium

1. **Defined.** A building or structure, including a holding facility, where human or animal remains are or are intended to be cremated.

C. Funeral Home

1. **Defined.** A building or structure where human remains are prepared and/or held for a funeral or final disposition and where memorial visitation or the viewing of human remains is conducted before or as part of a memorial or funeral service. This definition

includes, but is not limited to, funeral parlors, mortuaries, and undertaking establishments.

D. B. Use Standards for All Personal Service Uses

5.5 Self-Service Storage

Section 5.5.4.B.6. Office or retail space associated with self-service storage facilities may not exceed 1000 square feet.

Commented [RH2]: @Christy Cashin

5.7 Accessory Uses

Section 5.7.2.C.2.a. The ~~property owner~~ resident operating the home occupation must use the residential dwelling as their primary place of residence. Only residents of the subject residential dwelling may operate, engage in, or conduct the home-based business. Nonresidents are not allowed to work at the subject residential dwelling where a home occupation is being conducted.

5.8. Temporary Uses

Sec. 5.8.2. Permit Required

A. Construction Trailer

1. Once the Temporary Use Permit for the construction trailer has been issued, the construction trailer may be located on the site to be developed up to three (3) weeks prior to the start of site improvements and shall be removed when the last full Certificate of Occupancy has been issued for the development, or within 48 months, whichever is less, **or until the site has been wholly inactive for a period of 12 months**
2. All construction trailers shall be located within the development for which the construction trailer has been established.
3. Construction trailers shall successfully pass all applicable inspections (e.g. electrical, fire) and apply for and receive a Certificate of Occupancy prior to the commencement of the use.

G. Temporary Trash Receptacle and Temporary Storage Units

1. Temporary trash receptacles and temporary storage units (e.g. PODS) are permitted on any lot or lots used in combination as follows:
 - a. A maximum of seven (7) consecutive days without a Temporary Use Permit, **on non-residential lots.**
 - b. A maximum of 30 calendar days per calendar year with a Temporary Use Permit, **on non-residential lots.**

c. A maximum of 30 calendar days per calendar year (consecutive or otherwise) without a Temporary Use Permit, on residential lots or at the discretion of the Director.

Commented [RH3]: @Ross Hilleary add at the discretion of the director.

d. ~~e.~~ If a valid building permit is active, temporary trash receptacles and temporary storage units may be utilized on site until the Certificate of Occupancy is issued, or within 48 months, whichever is less, or until the site has been wholly inactive for a period of 12 months

e. ~~d.~~ Temporary trash receptacles and storage units shall not be allowed in the public right-of-way, unless a permit is approved by the Department of Engineering.

Chapter 6. Development Standards

6.3 Architectural Design Standards

6.3.5. Mixed Use & Non-Residential Design

B. Mixed-Use & Non-Residential Building Scale

1. **Intent.** Promote building designs that use appropriate architectural and Pedestrian Scales to establish compatible physical and visual relationships with adjacent and surrounding developments and reinforce a cohesive built environment. Furthermore, development should consider the scale of surrounding buildings, including relationships to existing residential areas, as well as an appropriate height, mass, and form scaled for the built environment. Applies to façades of development along public roads, public spaces, and adjacent to residential areas.
2. **Standards.** The following standards shall apply:

Description	MU & COD	IND
a) Development should consider the scale of surrounding buildings, including relationships to existing residential areas, as well as an appropriate height, mass, and form scaled for the built environment.	R	R
b) For buildings with façades longer than 200'-100', reduce massing of buildings by grouping or incorporating smaller tenant spaces along the commercial façade, or by incorporating at least two (2) modulations with depth at least 5% of the total façade length, and a width of at least 20% of the façade length.	R	O
c) Use Pedestrian Scale and landscape design elements such as specialty lighting, awnings, trees or other site elements to visually relate and transition multi-story buildings (or equivalent) to the ground plane.	R	O
d) Consistently incorporate at least three (3) architectural features into the building design that are Pedestrian Scale, to include: fenestration patterns; architectural elements such as ledges, lighting, or canopies; material or pattern banding; or detailing.	R	R
e) For buildings facing local and collector roadways, off-street parking must be located to the side of or behind buildings with only one (1) row of off-street parking in front of the building façade.	R	O

Commented [CC4]: @Christy Cashin change the modulation minimum modulation of 3'.

C. Mixed-Use & Non-Residential Building Form

ORDINANCE NO. 031626C

1. **Intent.** Promote building designs that articulate and define appropriate building forms with visual interest and enhance the character of the built environment. Furthermore, the intent of the standards is to articulate building forms, including but not limited to massing, walls, and roofs, with appropriately scaled modulations that contribute to the development of aesthetic building designs.
2. **Façade Standards.** The following standards apply:

Description	MU & COD	IND
a) Incorporate at least one (1) type of the following modulations in the façade plane, including but not limited to: projections, recesses, and step backs that articulate wall planes and break up building mass. Examples include, but are not limited to: columns with trim or accent materials, change in finished material depths, building overhangs, and inset features and materials such as false windows or fenestration with architectural accents.	R	R
b) Qualifying modulation must be at least 12" in depth, be at least 14" in width or height (whichever is narrowest), and occur in total for 20% of overall façade elevation. For buildings with façades less than 150' 100', horizontal modulation must occur no less than every 30'. For buildings with façades greater than or equal to 150' 100', horizontal modulation must occur no less than every 50'.	R	R
c) Facades facing Public View shall incorporate feature distinct visual elements and physical distinctions in the building design that enhance that define the building's forms, articulate façades, identify entries-highlight primary entrances, integrate- and create a Pedestrian Scale experience at, and visually anchor the building to the ground or street level.	R	O
d) For at least 30% of applicable façades incorporate a water table that uses, use- any combination of concrete, masonry, stone, or unique variation of color, texture, or textured materials, at least 40" 2' in height, around the base of the building. May alternatively incorporate other architectural features such as ledges, façade reveals, ground level fenestration, raised planters, or landscaping elements within 3' of finished grade.	R	R
e) Where building designs incorporate multiple stories, or multiple floor height equivalents, integrate at least one (1) field or accent color, material, or architectural feature used on lower stories, on the upper stories to provide visual continuity. Architectural features include, but are not limited to: repeated horizontal banding to match building's base trim, columns or pilasters that extend from base to roofline, façade reveals that extend the full height of the building, or coordinate color or material of balconies or canopies with ground floor entry features.	R	R
f) Building designs with multiple stories must provide proportionally taller ground-level façades adjacent to public roadways and public spaces. Provide a floor-to-ceiling height, or floor-to-floor height of 10' to 16'.	R	R
g) Incorporate doors and windows for at least 40% of applicable 1st floor façade, or provide faux window and door treatments that incorporate at least two (2) of the following: material changes, reveals in conjunction with color or material change, qualifying modulation such as recessed areas, architectural trellis, awnings and canopies over access areas, detached structures such as pergola, or similar architectural features and details. Big box and buildings in industrial districts may limit applicable façade area to 30' around public entries. At least 40% of the first-floor façade must consist of transparent door and window fenestration. Where functional or structural constraints exist, provide at least two (2) of the following treatments: material changes, reveals with color/material shifts, modulation	R	R







ORDINANCE NO. 031626C

(recessed areas), trellises, awnings, pergolas, or spandrel glass windows. Spandrel glass windows may not exceed 10% of the total first-floor façade area. For big-box and industrial buildings, this requirement is limited to the 30 feet surrounding public entries.		
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Commented [GW5]: @Grace Wiley

3. **Roof Standards.** The following standards shall apply:

Description	MU & COD	IND
a) Building roof types, forms, and elements should provide variation and interest to building profiles be designed to reduce the perceived mass of large structures and contribute to the architectural identity of the buildings. local architectural character.	R	R
b) Buildings with rooflines exceeding 50' in length or greater must incorporate integrated rooflines and or parapet variations to reduce perceived mass. Variations may include step-downs, step-backs, other modulation, sloped forms, varied eaves heights, or architectural features such as cornices, or columns, or ledges that create strong shadow lines. and These features must occur in total combination for at least 20% of the façade length. May be averaged over entire façade, but may not exceed 75' without a break.	R	R
c) All developments 1,000 sf or larger, along arterial roadways and pedestrian areas, the design must provide a minimum 20' building elevation to include average parapet height, ridge of a pitched roof, or tower/turret type elements at least 20% in total of overall façade width.	R	O
c) All architectural parapet walls, including smaller accent sections, shall be fully enclosed. These enclosure walls must be finished with the same high-quality materials, colors, and textures as the primary building facade. To prevent a false-front appearance, decorative parapet sections must have a minimum depth of 24" toward the interior of the roof. Furthermore, all parapet walls must feature a distinct architectural cap or coping (such as masonry, metal, or stone) that matches the primary building's architectural trim.	R	R
d) For flat roof: incorporate primary and secondary roof elements including but not limited to: multiple material types along parapets, multiple parapet elevations with at least a 3' change in elevation, or modulation of at least 3' in the parapet height, such as along entryway overhangs. Qualifying elements must exist for at least 20% the length of applicable façades in Public View. May also incorporate secondary roof types, such as hip roofs along overhangs.	R	R
e) For sloped roofs, incorporate at least two (2) of any one (1) roof element, including but not limited to: valleys, ridges, or gables. Qualifying elements in total must exist for at least 20% of applicable façade roof area and be visible from the same façade elevation. May also incorporate other roof styles, such as parapet walls over entryway features.	R	R
f) Provide variation in roof profile over façade modulation and/or articulation over façade material/color transitions. Options include, but are not limited to: varying parapet heights; two (2) or more roof planes; continuation of façade modulation through roof lines; dormers; lookouts; overhang eaves; sloped roofs; or cornice work.	R	O

Do this: 	
	
<p>a. <i>Roof types and forms provide variation and interest.</i></p>	<p>b. <i>This building incorporates roofline and parapet variations.</i></p>
 	
<p>c. <i>This building provides a minimum 20' building elevation enclosed parapet wall section.</i></p>	<p>d. <i>This flat roof incorporates primary and secondary roof elements.</i></p>

D. Mixed-Use & Non-Residential Architectural Elements

1. **Intent.** The intent of these standards is to promote integrated architectural elements and details as components of cohesive building designs that enhance the visual interest of

ORDINANCE NO. 031626C

building façades, support activity at and/or near ground level, and provide Pedestrian Scale.

2. **Standards.** The following standards shall apply:

Description	MU & COD	IND
a) Provide at least three (3) detailing elements that transition façade material changes or integrate Pedestrian Scale elements, such as doorways, windows, or material banding, at the base of the building. Examples include but are not limited to: cornice work around primary entries, decorative caps on brick or stone banding, architectural canopies over entries, or decorative lintels above the first-floor windows.	R	R
b) Provide building overhangs or other projections such as canopies which articulate the building façade and provide temporary relief from inclement weather. At a minimum, an overhang or projection is required within 20' of all public entryways, must be at least 3' in depth from the point of entry, and be least 6' in length. Entryways with vestibules or other permanent enclosed transition space are exempt.	R	R
c) Provide details that emphasize focal elements such as public entries, building corners, or public spaces. Examples include but are not limited to: columns, quoin or rustication, canopies over entries , lintels, transom windows, or modulation of the roof plane. At least one (1) focal element is required and must be accented with a unique combination of color, texture, materials, or modulation in the wall or roof plane.	R	R
d) To avoid blank wall segments when visible from a roadway or public space, use any combination of standards from Building Form, Architectural Elements, or Material sections to provide pattern, color, or material variation on all wall segments. Must not exceed 30-ft. horizontally or vertically without building variation.	R	R
d) Trash receptacles shall be screened and constructed in accordance with Sec. 6.2.8. Trash Receptacles .		
e) Roof access shall be located within the interior space of the building to eliminate exterior ladders for roof access.	R	R
f) Mechanical and utility equipment shall be screened in accordance with Sec. 6.2.6. Mechanical & Utility Equipment .	R	R

Commented [CC6]: Update Sec 6.2.6. to say that mechanical unit screening requires parapet wall

Do this:



a. This building provides at least three (3) detailing elements that transition façade material changes and integrate pedestrian scale elements.



b. This building provides projections which articulate the building façade and provide temporary relief from inclement weather.



c. & d. This building provides details that emphasize the public entry.

E. Mixed Use & Non-Residential Materials

1. **Intent.** To ensure that materials used for development promote and establish an architectural character that contributes to the aesthetic qualities of neighborhoods and protects adjacent property values.
2. **Standards.** Use materials from the following basic groups: brick, ~~split-face concrete masonry unit (CMU)~~, fiber cement board siding, stone, stucco, decorative precast panels, integrally colored block, EIFS, wood, composite metal panels, or high-pressure laminate (HPL) with a decorative surface that is suitable for exteriors. The additional following standards shall apply when required:

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Description	MU & COD	IND
a) Buildings with façades that face Public View shall use consistent material combinations, material quality, and architectural detailing.	R	R
b) For all façade elevations visible from Public View and facing residential zoning districts , shall use at least two (2) distinct field materials, field colors, or material-color- a combinations of materials and field colors on the building façade. *Applies when industrial buildings face arterial or collector roads; or facing public spaces.	R	R*
c) Building façades visible from Public View shall incorporate an accent material on the 1 st story of a multi-tenant multi-level building.	R	R
d) Where materials transition or terminate, provide detailing to express the natural appearance of the material. For example, wrap stone or stone-like products around visible corners to convey the appearance of mass, and not a thin veneer.	R	R
e) Textured concrete panels and prefabricated steel panels are prohibited as a finish material for building façades, except when used with a minimum of two (2) other qualifying field materials and meeting all other-standard fenestration and material requirements.	R	O
f) In Industrial Districts, untextured concrete panels and prefabricated steel panels are prohibited as facade field materials facing arterial and collector roadways, or public spaces, except when used with a minimum of two (2) other qualifying field materials and meeting standard fenestration requirements. Concrete panels that do not exceed 3 sf without a patterned reveal or modulation break may be considered textured.	O	R
g) Reclaimed wood may be used as an accent material and shall be limited to architectural accent areas (i.e. building and window trim, architectural features and entrances, etc.). Reclaimed wood shall be of high quality materials, suitable for exterior use, and limited to 25% of the overall building coverage.	R	R
h) Roll-up and drive-through doors are prohibited from Public View, unless they are integrated into the building design. Consider material variation and transitions, modulation, and other architectural features and standards for the design.	R	R
i) Use of neon or extremely bright colors as a primary color or large portion of wall area is prohibited.	R	R

6.5. Exterior Lighting Standards

Section 6.5.3.A.

Light Level

The maximum light level of any light fixture cannot exceed ~~0.5~~ 0.0 foot-candles measured at the property line of any residential district, ~~2.0~~ 1.5 foot-candles measured at the property line of any non-residential district, and ~~2.5~~ 2.0 foot-candles at the property line of a parking lot.

6.5.10. Seasonal Lighting of Religious Symbols

A. Existing or temporary religious symbols may have additional lighting installed on a temporary basis not to exceed 30 calendar days per year.

B. This additional lighting shall not be in conflict with any standards of this section.

Sec. 6.10.2. Recreational Vehicles, Utility Trailers, & Watercraft

Commented [RH7]: @Christy Cashin

ORDINANCE NO. 031626C

A. Single-Family Residential

Storage or parking of recreational vehicles, as defined in CHAPTER 12. DEFINITIONS, is subject to the following conditions:

1. No more than one (1) recreational vehicle shall be stored or parked outdoors on a residential parcel at any time.
2. The wheels may not be removed except for immediate repairs.
3. The vehicle shall be stored or parked behind or alongside the primary structure in such a manner that no part of any such vehicle shall project beyond the established front yard or required side setback lines of the lot.
4. The vehicle shall be kept behind an opaque fence of 6 feet in height, screened from view from adjacent properties and rights-of-way.
5. At no time, shall such parked or stored vehicle be occupied or used for living, sleeping, or housekeeping purposes.
6. No portion of a recreational vehicle visible from adjacent properties or the rights-of-way shall be covered by a tarp or any other temporary covering.

Commented [RH8]: @Lucas Smith change to 6 feet in height

B. Multi-Family

Storage or parking of recreational vehicles, as defined in CHAPTER 12. DEFINITIONS, ~~shall be within a specifically designated area that is screened with an eight-foot (8') tall wood or masonry wall that shall be supplemented with landscaping~~, is subject to the following conditions:

1. No more than one (1) utility trailer or watercraft shall be stored or parked outdoors on a residential parcel at any time.
2. The wheels may not be removed, except for immediate repairs.
3. The vehicle shall be stored or parked behind or alongside the primary structure in such a manner that no part of any such vehicle shall project beyond the established front yard or required side setback lines of the lot.
4. The vehicle shall be screened from view by opaque fencing from adjacent properties and rights-of-way.
5. At no time, shall such parked or stored vehicle be occupied or used for living, sleeping, or housekeeping purposes.

Sec. 6.10.5. Incidental Recyclable Material Storage

A. Applicability

The following standards shall apply to all non-residential properties unless otherwise expressly permitted within an industrial zoning district.

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B. Limited Pallet Storage Permitted

Outdoor storage of pallets shall be permitted only as limited incidental accumulation associated with the primary use of the property and shall comply with the following standards:

1. **Maximum Quantity**
Outdoor pallet storage shall not exceed twenty (20) pallets at any time.
2. **Maximum Height**
Pallet stacks shall not exceed five (5) feet in height.
3. **Condition of Materials**
 - a. Pallets shall be maintained in good condition.
 - b. Broken, splintered, rotting, or unusable pallets shall not be stored outdoors.
 - c. Pallets shall not be intermixed with trash, debris, scrap materials, or other refuse.
4. **Organization**
 - a. Pallets shall be stacked in a neat, stable, and orderly manner.
 - b. Scattered, leaning, collapsing, or loosely piled pallets are prohibited.
5. **Location**
 - a. Pallets must be stored in the rear of a building.
 - b. Pallets shall not obstruct required parking spaces, accessible routes, fire lanes, building exits, or stormwater facilities.
6. **Surface Requirement**
Pallets shall be stored on an improved hard surface, including asphalt or concrete. Storage on turf, soil, gravel, or landscaped areas is prohibited.

C. Permitted Grease Container

Each retail food establishment may maintain one (1) exterior grease collection container, provided it complies with the following standards:

1. **Quantity**
No more than one (1) exterior grease container shall be permitted per retail food establishment unless otherwise approved by the Director.
2. **Maintenance & Cleanliness**
 - a. Grease containers shall be maintained in good repair.
 - b. The surrounding area shall be kept clean and free of spills, residue, litter, and odor.

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- c. Spillage shall be immediately cleaned to prevent staining, vermin attraction, or nuisance conditions.

3. Location

- a. Grease containers must be stored in the rear of the building.
- b. Grease containers shall not obstruct parking spaces, accessible routes, fire lanes, or building exits.

4. Surface Requirement

Grease containers shall be located on an impervious hard surface such as concrete or asphalt.

6.17.4. Exempt Signs

K. Safety signs required by federal, state, or local law, including Occupational Safety and Health Administration (OSHA), fire, or building code signage.

6.17.7.B.14. Building Signs

Sign Illumination. Wall signs may be illuminated with external, internal, or reverse (back-lit) channel illumination. Neon is not allowed on building signs or along the building.

6.17.8.F. Banner Signs on Non-Residential Lots



A ~~hanging or~~ building-mounted or freestanding sign constructed of vinyl, fabric, or similar material intended to be displayed for a designated period. This does not include signs otherwise described in this Article.

Sec. 6.17.9. Other Sign Types

F. Construction Signage on Non-Residential Lots

1. Post Signs
 - a. Post signs are permitted on construction sites with an active building permit until the certificate of occupancy has been issued, or the site has been wholly inactive for a period of 180 days.
 - b. Post signs must adhere to standards as described in *Sec. 6.17.8.D. Post Signs on Non-Residential Lots*, unless otherwise approved by the Director of Community and Economic Development.
2. Banner Signs on Fencing

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- a. Banner signs are permitted on temporary fencing for construction sites with an active building permit until the certificate of occupancy has been issued, or the site has been wholly inactive for a period of 180 days.
- b. Banner signage must be tightly secured to fencing at all points.

Chapter 12. Definitions

12. Definition additions (see below)

Commented [RH9]: @Ross Hilleary

- **Architectural Features.**

~~Exterior building elements intended to provide ornamentation to the building massing including, but not limited to: eaves, cornices, bay windows, window and door surrounds, and balconies.~~

Prominent or decorative elements of a building's exterior that provide visual interest and break up large wall surfaces. These include, but are not limited to:

Entrances & Openings: Architectural canopies or awnings over entries, decorative lintels or sills above windows, balconies, transom windows, and ornamental window hoods.

Vertical & Horizontal Detail: Columns, pilasters, quoining, horizontal banding, and textured masonry at the base.

Roof & Wall Transitions: Eaves, cornices, decorative caps on masonry banding, and modulation of the roof plane or parapet height.

Integrated Elements: Ground-level windows, raised planters, and architectural reveals that add depth to the façade.

- **Crematorium.**

A building or structure, including a holding facility, where human or animal remains are or are intended to be cremated.

- **Columbarium.**

A structure or room or space in a building or structure used or intended to be used for the inurnment of cremated human remains.

- **Fenestration.**

The design, arrangement, and proportion of all light-transmitting openings on a building's facade or envelope. This includes windows, doors, skylights, and glazed curtain walls, serving both aesthetic and functional purposes.

- **Funeral Home.**

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A building or structure where human remains are prepared and/or held for a funeral or final disposition and where memorial visitation or the viewing of human remains is conducted before or as part of a memorial or funeral service. This definition includes, but is not limited to, funeral parlors, mortuaries, and undertaking establishments.

- **Flex Building.**
Aesthetically pleasing shell buildings that are designed to be adaptable for one (1) to four (4) tenants. These spaces are primarily single-story buildings with open floor plans, allowing tenants to customize a mix of office, showroom, or light industrial / warehouse areas. The office / showroom shall be accessed from the front of the building and light industrial / warehouse space accessed from garage doors in the rear of the building.
- **Hotel, Extended Stay Hotel/Motel/Ann.**
A building in which temporary lodging and/or boarding is provided to the public for compensation. The provider typically provides telephone service, laundry facilities, upkeep of furniture, and other services. Compensation is based upon stays of more than one day and reduced rates are typically featured for weekly/ monthly stays.
- **Spandrel Glass Windows.**
Non-transparent glass panels used within a fenestration system to conceal structural elements. These panels must be integrated into a simulated window assembly that includes a recessed or projecting frame and a distinct architectural sill. The glazed opaque area shall be limited to white, black, or a color that matches the primary building material of the surrounding facade.
- **Self-Service Storage Facility.**
A facility providing separate storage areas for rent, for personal or business use, designed to allow private access by the tenant for storing or removing personal property. Self-service storage uses include, but are not limited to, the following uses as examples: warehouse, self-service fully enclosed indoor storage, or mini-warehouses. This use may include an office or retail component for the storage facility.
- **Tattoo Parlor.**
A facility where tattooing is provided or where the business of tattooing is conducted.
- **Watercraft.**
Boat or Watercraft. Any vessel designed for navigation on water, including boats, personal watercraft, and similar marine craft, whether stored on a trailer or not.
- **Utility Trailer.**
A non-motorized vehicle, without motive power, designed and used primarily for transporting goods, materials, equipment, or personal property, and not designed for human habitation.

Commented [CC10]: @Ross Hilleary

Commented [MB11]: Example of Michael's building in Tech Park and needing to have primary entrances and roll-up doors/docks on separate sides of buildings

Advisory Plan Commission Staff Report

Meeting Date: April 1, 2026

DEPARTMENT CONTACT:

Ross Hilleary

CASE NUMBER:

TA-26-4

PETITIONER:

City of Fishers

PROPERTY ADDRESS/LOCATION:

City Wide

REQUEST: Consideration of a text amendment to the Unified Development Ordinance (UDO) to Chapter 2. Administration, Chapter 11. Enforcement & Penalties, and Chapter 12. Definitions.

APPLICABLE REGULATIONS:

City of Fishers Unified
Development Ordinance (UDO)

EXISTING ZONING:

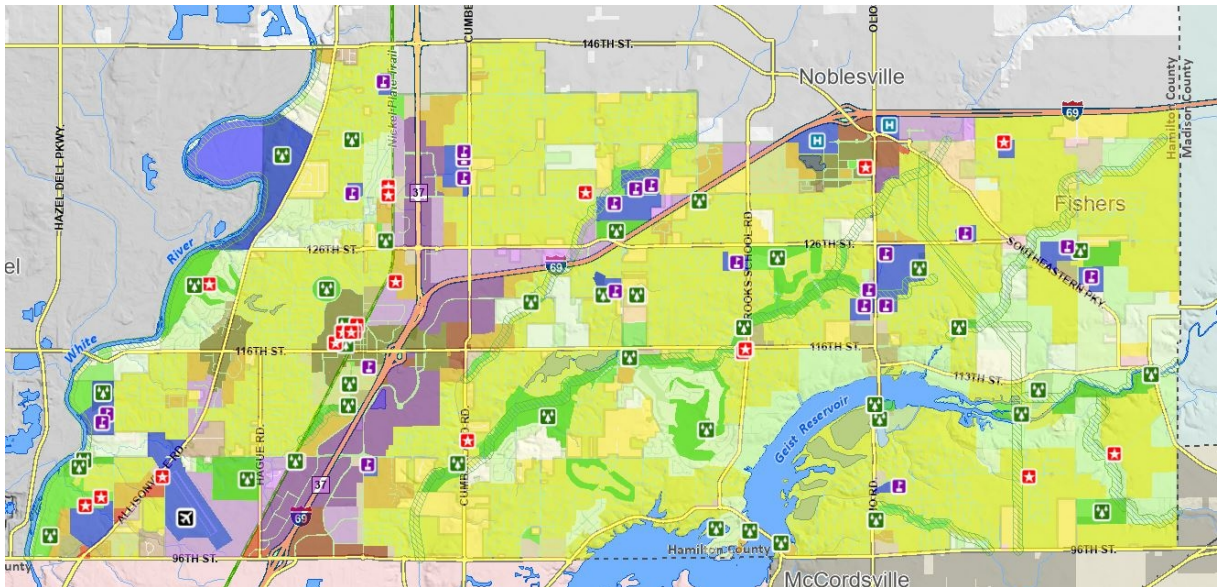
N/A

FISHERS 2040:

N/A

Lot Size: N/A

LOCATION MAP



STAFF RECOMMENDATION

Favorable Recommendation

Unfavorable Recommendation

No Recommendation

TEXT AMENDMENT REQUEST:

Consideration of a text amendment to the Unified Development Ordinance (UDO) to Chapter 2. Administration, Chapter 11. Enforcement & Penalties, and Chapter 12. Definitions.

This UDO brings attention and efforts to bring non-conforming design standards into compliance when the following permits, Commercial Building Permit (including Additon, New Building, Remodel, Tenant Finishes), Commercial Change of Use, Improvement Location Permit, Subdivision Improvement Permit, Variance, Special Exception were submitted they would require the following legal nonconformities to become compliant, including: Mechanical & Utility Equipment, Trash Receptacles, Exterior Lighting, Landscaping Standards, and Wall & Fence Standards.

Here is a summary:

Chapter 2 Administration:

- Add section that nonconforming accessory site features shall be brought into compliance and generated by the following applications submitted:
 - *Commercial Building Permit (including Additon, New Building, Remodel, Tenant Finishes)*
 - *Commercial Change of Use*
 - *Improvement Location Permit*
 - *Subdivision Improvement Permit*
 - *Variance*
 - *Special Exception*

Chapter 11. Enforcement & Penalties:

- Add section that Notice of Violation can dispute the violation before the Board of Zoning Appeals

Chapter 12. Definitions:

- Add Legal Nonconforming Accessory Site Features (*i.e., Mechanical & Utility Equipment, Trash Receptacles, Exterior Lighting, Landscaping Standards, Wall & Fence Standards*)
- Add: Nonconforming Accessory Site Features

PUBLIC COMMENTS:

No Public Comments have been received at this time.

STAFF RECOMMENDATION:

When making their decision, Plan Commission shall be reasonable regard to:

1. The Comprehensive Plan;
2. Current conditions and the character of structures and uses in each zoning district;
3. The most desirable use for which the land in each zoning district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Staff has a favorable recommendation.

This item is anticipated to go to City Council at their April 20, 2026 meeting.

STAFF RECOMMENDATION

Favorable Recommendation Unfavorable Recommendation No Recommendation

ORDINANCE NO. 031626B

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, INDIANA, AMENDING THE CITY OF FISHERS UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, this is an ordinance to amend the Unified Development Ordinance (“Zoning Ordinance”) of the City of Fishers (the “City”).

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) conducted a public hearing on Docket No. ___ as required by law in regard to the Text Amendment; and

WHEREAS, the Plan Commission, at its meeting on the ___ day of April ___ sent a _____ recommendation to the Common Council by a vote of ___ in favor and ___ opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

Section 1. This Text Amendment amends certain sections of the Unified Development Ordinance.

Section 2. The purpose of this ordinance is to refine certain regulatory language in Chapter 2, Chapter 11 and Chapter 12, as set forth herein.

Section 3. **Article 12.2 Defined Terms** shall be amended as follows, with additions shown in blue and deletions shown as ~~red-strikeout~~:

Article 12.2 L

Legal Nonconforming Accessory Site Features. Any feature of a site that is accessory to the primary building or structure that legally existed prior to the effective date of this UDO, or its subsequent amendments, that no longer meet the development standards. This includes:

1. Accessory Structure Standards set forth in Article 6.2. specifically:
 - a. Mechanical & Utility Equipment set forth in Section 6.2.6.
 - b. Trash Receptacles set forth in Section 6.2.8.
2. Exterior Lighting Standards set forth in Article 6.5.
3. Landscaping Standards set forth in Article 6.7.
4. Wall & Fence Standards set forth in Article 6.18.

Article 12.2 N

Nonconforming Accessory Site Features. Any feature of a site that is accessory to the primary building or structure that does not conform to the regulations of the

zoning district in which it is located or to the development standards of this UDO, or its subsequent amendments. This includes:

1. Accessory Structure Standards set forth in Article 6.2. specifically:
 - a. Mechanical & Utility Equipment set forth in Section 6.2.6.
 - b. Trash Receptacles set forth in Section 6.2.8.
2. Exterior Lighting Standards set forth in Article 6.5.
3. Landscaping Standards set forth in Article 6.7.
4. Wall & Fence Standards set forth in Article 6.18.

Section 4. Article 2, Section 2.3.8. Nonconforming Accessory Site Feature shall be amended as follows with additions shown in blue and deletions shown in ~~red~~ ~~strikeout~~:

Sec. 2.3.8. Nonconforming Accessory Site Features

- A. Nonconforming accessory site features shall be brought into compliance with the current development standards at the time of issuance of any of the below:
 1. Commercial Building Permit including an Addition, New Building, Remodel or Tenant Finishes.
 2. Commercial Change of Use Permit
 3. Improvement Location Permit
 4. Subdivision Improvement Permit
 5. Variance
 6. Special Exceptions

Section 5. Article 11, Section 11.1.11. Appeals or Trials shall be amended as follows with additions shown in blue and deletions shown in ~~red~~ ~~strikeout~~:

Section 11.1.11 Appeals or Trials.

- A. In accordance with IC 36-7-4-1000, any person receiving a Notice of Violation may dispute the violation by submitting a written statement to the Board via certified mail at least three (3) business days prior to the date the fine is due and a hearing shall be held in accordance with §36-7-4-919 and 920.
 1. Any person receiving a Notice of Violation of Section 2.3.8 may dispute the violation by submitting a written statement of appeal with the basis of appeal to the Board via certified mail within ten (10) business days of receipt of the Notice of Violation and a hearing shall be held in accordance with §36-7-4-919 and 920.

- B. If the Board upholds the violation, that decision may be appealed to the City Court within five (5) business days. The City Court shall forward such written statement to the City Attorney, who may, in its discretion, pursue all remedies specified in this Chapter.
- C. Any fines claimed as due and owing shall be postponed pending resolution of any legal action initiated by the City Attorney.

Section 6. All other provisions of Fishers’ Code of Ordinance or policies not in conflict with or specifically changed by this amendment shall remain in full force and effect.

Section 7. This Ordinance shall be in full force and effect after its adoption by Council, approval by the Mayor, and publication, if required, in accordance with Indiana law.

ALL OF WHICH IS ORDAINED by the Common Council of Fishers, Indiana, this _____ day of _____ 2026.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

ABSTAIN

	John DeLucia, President		
	Tiffanie Ditlevson Vice President		
	Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Bill Stuart, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2026, at _____ p.m.

ATTEST: _____
Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL



Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument is prepared by: Lindsey M. Bennett, Corporation Council, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

“I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.” Lindsey M. Bennett