

ATTACHMENT A

Proposed Text Amendment to the Shelby County Zoning Regulations
Words to be added are underlined – Words to be deleted are lined through

Article VI

ESTABLISHMENT OF ZONES

SECTION 640 ZONES/DISTRICTS ESTABLISHED

The following zoning district classifications are established for the County of Shelby, Kentucky and their environs:

A	Agricultural
ROS	Recreational/Open Space
RE	Residential Estates
R-1	Residential – Very Low Density
R-2	Residential – Low Density
R-3	Residential – Medium Density
R-4	Residential – Multi-Family
RRD	Residential Rehabilitation District (City of Shelbyville Only)
MHP	Mobile Home Park
PUD	Planned Unit Development
C-1	Commercial – Central Business District (Downtown)
C-2	Commercial – Neighborhood
C-3	Commercial – General
C-4	Highway Commercial
P-1	Professional – Limited Office
P-2	Professional – General Usage
X-1	Limited Interchange
X-2	General Interchange Commercial
I-1	Industrial – Light
I-2	Industrial – Heavy
F/C	Flood Plain/Conservation Zone
<u>VCFD</u>	<u>Village Center Form District (City of Simpsonville Only)</u>

Shelbyville 2000 Zones:

1. Central Business District
2. Downtown Commercial District
3. Limited Mixed Use District
4. Agricultural/Commercial District
5. Warehouse District

ATTACHMENT B

Proposed Text Amendment to the Shelby County Zoning Regulations
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Article VI

ESTABLISHMENT OF ZONES

SECTION 679 – VILLAGE CENTER FORM DISTRICT (VCFD) ZONE (CITY OF SIMPSONVILLE ONLY)

A. PURPOSE

The purpose of the Village Center Form District Zone is to provide for a pedestrian friendly, mixed-use “main street” style environment consistent with the Simpsonville Small Area Plan’s vision, goals and objectives, connections, intensity and land use, and infrastructure. This zone is intended to be both a community focal point and destination where residents can congregate, socialize, and have access to a wide variety of civic, retail, office, and service uses located in a dense, urban environment. The vision for this area is one with high quality buildings scaled and massed appropriately together and set closer to the street and to each other, inviting pedestrians to walk from place to place, with mixed uses that will serve a multitude of purposes for both the resident and visitor, and always with the intention of furthering the public health, safety, and general welfare. The provisions of this section are intended to ensure that new development within the designated Village Center Form District is consistent with the desired pattern and characteristics of the district, promoting the following as applicable:

1. Safe access that will facilitate traffic movement on Shelbyville Road;
2. A circulation system that balances multi-modal uses;
3. A mixture of moderately intense uses including civic, shopping, restaurants, offices and residences;
4. An aesthetically pleasing appearance of building mass, placement and materials, lighting, landscaping, and vehicular areas;
5. Coordinated development between adjacent properties including shared parking, vehicular and pedestrian movement and appearance;
6. Development needs to be designed so as to minimize erosion, and/or flood damage.

B. APPLICATION AND PROCESSING

1. Administration

The Village Center Form District development approval process is intended to provide an incentive to property owners and developers who are willing to develop in a particular form. Development within the “Village Center Form District” is development “by-right” which entails only an administrative review carried out by Triple S Planning Commission staff and the City of Simpsonville’s City Administrator.

Wherever there appears to be a conflict between the Village Center Form District regulations and other sections of the Shelby County Zoning Regulations, the Village Center Form District regulations shall apply. For development standards not covered by these Regulations, all other sections of the Shelby County Zoning Regulations shall apply.

This section sets forth provisions for reviewing and approving development applications within the Village Center Form District. The intent is to ensure that all development occurring under the provisions of the Village Center Form District regulations is consistent with the provisions of these regulations as they pertain to height, siting, architectural standards, and building form. All elements of the Village Center Form District, including Definitions, Building Envelope Standards, Streetscape Standards and Architectural Standards, will be applied as part of the development review process. Triple S Planning Commission staff and the City of Simpsonville's City Administrator are charged with review of all Village Center Form District applications.

2. Pre-Application Conference

Prior to filing for development plan review, the developer, petitioner, applicant or property owner shall attend a pre-application conference with Triple S Planning Commission staff and the City's City Administrator to discuss the development review process, be informed of the Village Center Form District, the Shelby County Zoning Regulation requirements, and to confer about the application. No person may rely upon any comment concerning a proposed development plan, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form. This meeting is intended to review the development plan and flag any issues in applying the regulations of the Village Center Form District regulations.

3. Development Plan Review

a. The developer shall submit:

- 1) A completed application.
- 2) Four (4) sets of a development plans no larger than 24" x 36". The Commission may require greater or fewer copies of the development plans as is deemed necessary to carry out a substantive review.
- 3) Elevation drawings which shall include dimensions of all sides of existing and proposed structures, all related accessory structures to be developed or placed on the site including but not limited to solid waste and recycling containment areas, electrical service transformers, mechanical equipment, etc. Locations and screening materials shall be clearly noted.
- 4) The exterior finish material and color selection for each building shall be clearly noted for each elevation and may be illustrated using a detail inset.
- 5) To aid in evaluating the exterior design, the developer shall submit schematic floor plans showing window, door and other exterior features that clearly define the intent of the completed exterior of the structure.
- 6) Color renderings clearly indicating color choices of exterior finish materials.
- 7) Other information as may be deemed necessary to evaluate the appearance of the completed structures.

b. Determination of Minimum Requirements

Upon receipt of the development plan and completed application, the Triple S Planning Commission staff shall determine, within ten (10) working days, if the

development plan and related documents comply with all applicable rules and regulations. If all plans and related documents are in order, the Triple S Planning Commission staff shall forward said plans to the City's City Administrator and to all other applicable review agencies. Upon making a determination that all documents are in order, the development plan shall be deemed officially received and the date of such official receipt shall establish the filing date. The determination that submission of development plans qualifies to be officially received shall not be deemed a determination that the plan meets the requirements for plan approval.

c. Limitation on Review Period; Approval; Disapproval

- 1) Within sixty (60) days after the receipt of the development plan, the Triple S Planning Commission staff and the City's City Administrator shall be authorized to approve such plans provided that the requirements and provisions of this Regulation and other applicable codes and ordinances have been met.
- 2) If such requirements are not met, the Triple S Planning Commission staff and the City's City Administrator shall not approve such development plan. Specific reasons for disapproval shall be set forth in writing and shall identify deficiencies in the plan which cause disapproval and shall generally identify such modifications or corrections as will permit approval of the plan. A disapproval may be appealed to the Simpsonville City Commission.

4. Compliance with the Regulation

Compliance with the Village Center Form District regulations shall be evaluated based on the intent of the regulation, how well the development conforms to the regulations and whether it is consistent with the city's goals and plans to develop and redevelop the Village Center Form District as detailed in the Simpsonville Small Area Plan. Minor modifications shall be reviewed and discussed at the pre-application conference and shall be based on problems related to topography, or street grade, the location of streets, breaks and passages between buildings, signs, streetscape details, design issues related to the inclusion of existing buildings or mature trees as part of a development proposal.

5. Substantial Additions to Existing Developed Sites

The Village Center Form District regulations shall be applied when substantial additions to existing buildings are made. Substantial building additions are defined or applicable per the following criteria:

- a. The expansion of structures in excess of fifteen (15%) percent but less than thirty-five (35%) percent of the existing gross floor area shall subject only the expansion area to the standards and regulations of the Village Center Form District.
- b. Expansion of structures in excess of thirty-five (35%) percent of the existing gross floor area shall subject the entire structure to the standards and regulations of the Village Center Form District.
- c. If any structure is destroyed by any means and to an extent greater than fifty (50%) percent of its replacement cost at the time of the destruction, then such structure shall only be rebuilt in accordance with the standards and regulations of the Village Center Form District.

- d. This section shall not be construed in any way as to prevent the ordinary maintenance or minor repairs of existing structures.

6. Permit Process

Zoning and Building Permits will not be issued for building activity until the Development Plan review process is completed and a determination is made by the City or its duly authorized representative, that the proposal is consistent with the Village Center Form District regulations, per the approved plan.

7. Pre-Certificate of Occupancy Meeting

At least thirty (30) days prior to expected occupancy, the applicant shall notify Triple S Planning Commission staff and arrange for a pre-Certificate of Occupancy meeting. The purpose of this meeting is to review and address outstanding items as per the approved development plan, as well as discuss the terms and conditions for securing performance bonds for any public improvements as part of the development.

C. PERMITTED USES:

1. Banks, Savings and Loans, and Credit Unions
2. Barber and Beauty Shops
3. Billiards and Pool Halls
4. Clinics - Medical or Dental
5. Day Care Center
6. Dry Cleaning and Laundry Pick-up Station
7. Eating and Drinking Establishments, sit-down only - may include outdoor dining
8. Educational Institutions
9. Florist shop
10. Funeral Homes
11. Government Offices and Facilities
12. Hardware and Garden Supply Stores - no outdoor storage of products, materials, supplies or equipment
13. Health and Fitness Facilities
14. Libraries, Museums and Art Galleries, excluding Tattoo Parlors and Body Piercing
15. Locksmith
16. Offices, Professional - Medical, Dental, Legal, Accounting, Marketing, Employment service, Administrative and managerial, Education service, Telecommunications, Data processing, Investment services
17. Parking Garages
18. Pet shops and Pet Grooming, excluding Boarding, Outside Kennels and Runs
19. Photocopying, Printing and Publishing and Mailing Facilities
20. Post Office
21. Publicly Owned and/or Operated Parks and/or Recreational Areas
22. Residential Dwellings, Multi-family/Condominiums - 2nd and 3rd Floors only
23. Retail Goods and Supplies, Sales and Repairs
24. Retail Sales of Food Products: Dairy, Meat, Vegetables, Bakery
25. Self-Service Laundry
26. Shoe Repair and Sales
27. Spas, salons
28. Studios for Design Professionals such as Interior Decorating, Landscape Architecture, Architecture, Engineering
29. Studios for Professional Work or teaching of any form of Fine Arts

- 30. Tailor Shop
- 31. Ticket, Travel and Advertising Agencies
- 32. Video, DVD sales and rentals

D. CONDITIONAL USES:

- 1. Churches and other religious institutions with accessory uses

E. ACCESSORY USES:

- 1. Any accessory use or building customarily incidental to the above permitted uses.
- 2. Signs, as regulated by Article XI and Section O of this regulation.

F. DEFINITIONS:

The following terms are defined for the purpose of the Village Center Form District. Terms not defined here may be defined elsewhere in the Zoning Regulations. In such case, the definition contained in the Zoning Regulation will be used. Certain terms in the Village Center Form District are used in very specific ways, often excluding some of the meanings of common usage.

ANODIZED ALUMINUM: A metallic element that has good electrical and thermal conductivity, high reflectivity, and resistance to oxidation, which has undergone a special process of coating with a protective or decorative film.

ARCADE: An arched covered passageway or avenue (as between shops), or a series of arches with their columns or piers.

AWNING: A cantilevered, projected or suspended cover over the sidewalk portion of the STREET. Also, roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain.

BALCONY: An exterior platform attached to the main building that projects from the wall of the building and is enclosed by a parapet or railing.

BAY or BAY WINDOW: Generally, a U-shaped enclosure, extending the interior space of the building outward of the exterior building wall/build to line (along its street side).

BUILD-TO LINE (REQUIRED BUILDING LINE (RBL)): The distance measured from the property line to the building. The building must be built-to (coincident with) the required building line (RBL). The RBL is a requirement, not a permissive minimum as is a setback.

BUILDABLE AREA: The area of the lot within which buildings and parking areas will sit. The buildable area sets the limits of the building footprint now and in the future -- additions must be within the designated area.

BUILDING CORNER: This refers to the outside corner of a building (where the building mass is within an angle less than 180 degrees. Some of the proscriptions of the building envelope standards are specific to building corners. Inside corners, where the exterior space is within an angle less than 180 degrees, are not considered building corners.

BUILDING ENVELOPE STANDARDS: The building envelope standards establish the basic parameters governing building construction. This includes the envelope for building placement (in

3 dimensions) and certain required/permitted building elements, such as balconies and street walls.

COMMON LOT LINES: Lot lines shared by private lots, generally side lot lines.

COPING: Tile or brick used to cap or cover the top of a masonry wall.

CUT-OFF: Condition of an installed outdoor luminaire such that only 2.5 percent of all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer.

CUT-OFF, SEMI: Condition of an installed outdoor luminaire such that only five percent of all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer.

DEVELOPABLE AREA: The total area within a site that may be disturbed. Calculated by the total area of the site minus the area required to be preserved (not disturbed by grading).

DORMERS: Small, roofed ancillary structures with windows providing light and air to occupied space within the roof.

EASEMENT, ACCESS: An interest in land that is owned by one property owner, entitling other users to enter, and pass through the property in order to reach other surrounding properties.

EAVE, EAVE HEIGHT: The lower border of a roof that overhangs the wall. Where used to limit building height in the Regulation, eave height shall be measured at the bottom of the top layer of roofing material at its outermost point from the building wall.

FENESTRATION: The arrangement, proportioning, and design of windows and doors in a building, allowing light and views between interior and exterior.

FINISHED FLOOR: The level base of the room that is covered by flooring materials such as tile, carpet, hardwood, located above the sub floor.

FOOTCANDLE: The unit of illuminance on a surface one square foot in area on which there is a uniformly distributed flux of one lumen, or the illuminance produced on a surface all points of which are at a distance of one foot from a directionally uniform point source of one candela.

GARAGE ENTRY: An opening (with curb cut) in the building façade and or street wall where vehicles may enter the block interior for general parking and business servicing.

GROUND FLOOR, GROUND STORY: The first level of buildings where at least 80 percent of the finished floor elevation is within 18 inches of the adjacent fronting sidewalk level. The next story above the ground story is the second floor.

LUMEN: A unit of luminous flux. One foot-candle is one lumen per square foot. For the purposes of this Regulation, the lumen-output values shall be the initial lumen output ratios of a lamp.

LUMINAIRE: A complete lighting system, and includes a lamp or lamps and a fixture.

MEZZANINE: A low-ceilinged story between two main stories of a building; especially an intermediate story that projects in the form of a balcony.

OPEN SPACE, PUBLIC: Open space that is accessible to the general public.

OUTDOOR DINING FACILITY: An outdoor dining area connected or attached to an indoor restaurant, bar, tavern or nightclub.

PARAPET: A low wall or railing to protect the edge of a roof.

PARKING, RESERVED: Parking not available to the public, but only to specifically identified users (either a single user per space or a set of users for a group of spaces), whether for free or at a fee that shall not exceed the prevailing market rate.

PARKING, SHARED: Parking available to the public on an unreserved basis for free or at the same fee for all users, which shall not exceed the prevailing market rate. Time limits may be imposed to ensure turnover. Hours of public availability may also be restricted.

MULTI-USE PATHWAY: Interconnecting paved ways that provide pedestrian and bicycle passage running from a street to either a street, alley or an interior parking area. The area within a multi-use pathway shall be a public access easement.

PERVIOUS SURFACE: A surface capable of being permeated, having pores or openings that permit liquids to pass through.

PUBLIC SPACE: Property (streets, alleys, civic greens and squares, and parks) within the public domain within which citizens may exercise their rights.

SEATING, FORMAL: A long bench seat for two or more persons.

SEATING, INFORMAL: Planters, ledges, or similar seating features, and measuring a minimum of 30 inches in width and 15 inches in height.

STREET WALL: A vertical surface at the build-to line used to screen the off-street parking area from the street while maintaining the building facade along a given block face.

STREETSCAPE: Improvements to a property, including paving, tree and/or other decorative plantings, lighting, and the placement of street furniture, within the street.

TRANSOM WINDOW: A window or pane above a door, whether rectangular or arched (fanlight); also, a window that is hinged along its top edge.

UNIFORMITY RATIO: The relationship between the average level of illumination and the lowest level of illumination for a given area. For example, if the uniformity ratio is 3:1 and the average illumination of an area is 3.0 foot-candles, then the lowest level of illumination allowed in the given area would be 1.0 foot-candles.

WALL OPENING: Any break in the wall or façade.

WHERE CLEARLY VISIBLE FROM THE STREET: A number of regulations apply only where the subject is "clearly visible from the street." A building element more than 30 feet from the build-to line/street (such as items facing a common lot line more than 31 feet away from a build-to line

and/or street) is by definition not clearly visible from the street. Also common and/or party walls are by definition not clearly visible from the street.

G. BUILDING ENVELOPE STANDARDS

1. Siting Specifications

a. Minimum Tract for Development

1) No minimum.

b. Setbacks from Street Frontages (Includes Corner Lots)

1) Buildings shall be constructed to a zero-foot setback (or "build-to" line) from all public streets, except in the following circumstances:

a) The build-to line shall be adjusted to ensure a minimum sidewalk width of fifteen (15) feet is available (see Core District Cross Section in the Simpsonville Small Area Plan).

b) Outdoor amenities, including formally landscaped plazas, courtyards and outdoor seating areas for restaurants, cafes, and coffee shops, are located between the right-of-way and the build-to line.

c) Slight variations in the setback may be allowed at building entrances to architecturally pronounce the location and importance of building entrances to pedestrians.

c. Side Yard Setbacks

1) Buildings shall be constructed to a zero-foot setback (or "build-to" line) from all side property lines to create a continuous building street wall between walls, except in the following circumstances:

a) Where adjoining a residential zone outside of the form district a minimum 20 feet (10 feet all other zones) from the property line must be maintained.

b) A formal pedestrian-only walkway is provided that connects off-street parking areas located to the rear of a site to the storefront and walkway system located adjacent to storefronts. A minimum six (6) feet and a maximum of ten (10) feet in walkway width is required. The opening shall be framed overhead by an architectural element extending over the walkway. The opening as seen from the public right-of-way shall be architecturally compatible with the overall street façade. Lighting fixtures shall be provided in the walkway area with lighting fixtures placed at regular intervals to provide continuous ground plane overlap.

c) Formal open spaces, plazas, or outdoor seating may be developed between buildings, thus interrupting the continuous building street wall. Such areas shall be accessible to the public or shall serve an adjacent business. The design of such spaces shall ensure that parking to the rear of the buildings is

effectively screened through the use of fences, walls, or evergreens or a combination thereof.

d. Rear Yard Setbacks

- 1) A rear zero-foot setback (or "build-to" line) is permissible but appropriate site accommodations shall be made for dumpsters, mechanical equipment, off-street parking and loading, landscaping and buffering, and on-site storm water management facilities.

e. Multiple Principal Structures

- 1) Multiple principal structures or common wall construction is permitted. Principal structures on the same lot, constructed as detached buildings, shall maintain the following minimum separations:
 - a) Building wall with entrance or exit: 20 feet
 - b) Building wall with no entrance or exit: 10 feet

f. Building Frontage

- 1) At least 50% of the linear street frontage of each lot along Shelbyville Road shall be occupied by a building at the required build-to line.
- 2) Open unenclosed public seating or similar areas, fountains, and outdoor amenities are permitted to encroach beyond the build-to line as long as the corner requirements are met per Subsection G.1.h.

g. Building Entrances

- 1) Buildings shall have at least one public entrance on all façades facing the street and at least one where parking is located.
- 2) On corner lots, entrances may be on the front façade or at the corner of the building.
- 3) Garage entries shall not exceed 16 feet clear height and 24 feet clear width and shall not be sited within 100 feet of the block corner or another garage entry on the same block. Garage entry portals may be set back up to 24 inches behind the surrounding façade, but may not project beyond the building facade.

h. Corners

- 1) Buildings on corner lots shall be constructed at the build-to line along both streets for a minimum of 20 linear feet.
- 2) If a principal building or tenant entrance is at the corner, the entrance may be recessed within the 20 feet at a 45-degree angle to both streets.

2. Height Specifications

a. Building Height

- 1) Each building shall have a minimum of two (2) stories and shall not exceed thirty-six (36) feet in height or three (3) stories.

- 2) If a parking garage is incorporated into building design, two tiers of parking may be located above ground level without counting toward the measurement of building height. However, retail space must be incorporated on the ground floor, facing the street. Underground parking is permitted, not to count toward the measurement of building height.

b. Floor Height

- 1) Maximum floor-to-floor story height limit for stories other than the ground story is 14 feet.
- 2) All upper stories shall each have a minimum of 9 feet 4 inches clear (floor to ceiling height) and shall be useable floor space.

3. Building Element Specifications

a. Ground Story Fenestration

- 1) No blank/uninterrupted walls shall be facing streets, access drives, sidewalks, outdoor amenities, recreational areas or other public uses.
- 2) Ground story façades shall have between 50 and 90 percent fenestration (measured as a percentage of the façade that is between 2 and 10 feet above the fronting streets, sidewalks, outdoor amenities or recreational areas) with a combination of two or more of the following animating features:
 - a) Transparent doorways and entry areas;
 - b) Display windows at least 50% open to the business interior with a minimum height of 8 feet and having a maximum sill height of 3 feet;
 - c) Arcades; with a minimum clear height of 11 feet (signage or lighting may encroach) at the sidewalk (street), and a minimum clear width (from frontage or build-to-line to inside column face) of 10 feet. The area within an arcade shall be open to all public access. Supporting Column/Pier shall be located no more than 20 inches from the back of the curb (minimum 60 inches public access easement/sidewalk within the arcades' clear width).
 - d) Projections and windows.
- 3) Awnings and overhangs in increments of 15 feet widths or less are permitted with the following requirements:
 - a) Minimum 10 feet clear height above sidewalk, minimum 6 feet depth out from the building façade (Maximum to curb or tree-planting strip/furniture zone, whichever is closer).
 - b) Canvas cloth or equivalent (no shiny or reflective materials), metal or glass.
 - c) No internal illumination through the awning/overhang.
 - d) Lettering on awning limited to five (5) inches tall on vertically hanging fabric at curb side of awning.
 - e) No one-quarter cylinder configurations.

b. Upper Stories – Fenestration

- 1) Walls facing streets, sidewalks, outdoor amenities, recreational areas, off-street parking areas or other public uses shall have between 50 and 70 percent fenestration.

H. TRANSPORTATION STANDARDS

1. Transportation connections are to be multi-modal and useable by the public.

2. Vehicular

- a. Direct vehicular connections are required between all uses, existing and future.
- b. Developments that create public and private streets shall connect with and provide for future extension of the street network.
- c. Developments that adjoin vacant sites shall be designed to accommodate future connections with access easements if necessary.
- d. Easements and agreements must be identified on the submitted development plans and submitted prior to the pre-Certificate of Occupancy meeting per Subsection B.9.

3. Pedestrian

- a. Direct pedestrian connections are required between all uses, existing and future.
- b. Developments that create public and private streets shall connect with and provide for future extension of pedestrian access.
- c. All uses within the form district shall provide pedestrian connections with adjacent uses outside the form district.
- d. Developments that adjoin vacant sites shall be designed to accommodate future connections with access easements if necessary. Easements and agreements must be identified on the submitted development plans and submitted prior to the pre-Certificate of Occupancy meeting per Subsection B.9.
- e. All development shall provide clearly defined safe pedestrian access to the public right-of-way, and to building entrances.
- f. With KYTC approval, pedestrian access is required to be located within abutting rights-of-way and across driveways with striping or contrasting pavements, or raised surfaces that meet ADA requirements.
- g. Sidewalks and trails must connect with any presently adjacent sidewalks.
- h. Multi-use sidewalks along Shelbyville Road in the Village Center Form District shall be a minimum of fifteen (15) feet in width (see Core District Cross Section in the Simpsonville Small Area Plan).
- i. Sidewalks along side streets parallel and perpendicular to Shelbyville Road in the Village Center Form District shall be a minimum of six (6) feet and may be required to be eight (8) feet.

4. Access Management

- a. Sites with multiple buildings shall have joint access.
- b. Properties within the Village Center Form District shall provide access drives (joint use driveways and/or cross access easement) or access roads, including pedestrian access to allow circulation for commercial-to-commercial, office, industrial or multi-family. Access roads or drives shall be in the rear of the property. If planned as a public road the design shall conform to all applicable regulations of the Shelby County Subdivision Regulations.

- c. Spacing of access points along the cross access drives shall be a minimum of 100 feet or as otherwise approved by the city or state.
- d. Access drives shall be at least twenty-four (24) feet in width and with stub outs for future development.
- e. Easements and agreements must be identified on the submitted development plans and a recorded plat prior to the pre-Certificate of Occupancy meeting per Subsection B.9.

I. PARKING, LOADING AND UNLOADING

1. Location of parking

- a. Parking shall not be permitted between the property line and the build-to line.
- b. Parking within the side yard is permitted, the total width of which may not exceed 15% of the total linear lot frontage.
- c. Parking within the rear yard is permitted and highly recommended.
- d. On-street parallel parking along Shelbyville Road is required and shall be coordinated with the city to ensure compatibility with final design, engineering and construction documents for streetscapes.

2. Number of Parking Spaces

- a. Section 1005 of the Shelby County Zoning Regulation applies with the following conditions:
 - 1) A 10% minimum reduction in the number of required spaces is required and a maximum allowable reduction of 35% shall be permitted.
- b. All parking spaces may be located off site but must be connected by pedestrian access (see pedestrian connection requirements) and must be located within 500 feet of the building. All parties shall execute a properly drawn legal instrument/agreement providing for the use of the off-site parking spaces. This instrument shall be drawn to the satisfaction of the city and shall be executed by all parties concerned assuring the availability of the number of spaces designated for off-site and shall be recorded in the County Clerk's Office.
- c. Twenty (20%) percent of the required parking shall be pervious surface.
- d. No maximum number of parking spaces if parking structures/garages are utilized.
- e. Underground parking shall count towards the total number of allowable parking spaces.

3. Connections between parking lots

- a. Vehicular and pedestrian connections are required between parking lots in adjacent developments.

4. Pedestrian circulation

- a. Clearly defined safe access must be provided from parking facilities, adjacent public rights-of-way and activity areas to building entrances.

- b. Parking lots must have walkways minimum five (5) feet in width.
- c. Walkways must be lighted and must connect parking areas with building entrances. Walkways must be differentiated by means of landscaping, alternative paving materials or change in grade.
- d. Walkways that cross drive aisles must be defined by stripes, contrasting pavement materials, elevated pavement or combination.
- e. Walkways shall not pass behind a row of parking spaces.
- f. All developments must provide for future pedestrian circulation connecting parking lots or alleys, by hard surface walkways or similar.

5. Street wall requirement

- a. Any side yard parking areas shall have a street wall along the lot frontage, minimum height of 4 feet and a maximum height of 6 feet, with a required rail or fence to be anodized aluminum or steel.
- b. Street wall heights are measured relative to the adjacent sidewalk or to the ground elevation when not fronting a sidewalk.
- c. Street walls may be set back (or forward) not more than 8 inches from the build-to line or adjacent building facade.
- d. A vehicle entry gate (opaque, maximum 18 feet wide) and a pedestrian entry gate (maximum 6 feet wide) are both allowed within any required street wall length.

6. Landscaping

- a. See Article XV of the Shelby County Zoning Regulations.

7. Loading/Unloading areas

- a. Loading/Unloading docks shall be screened with same materials as main building so as not to be visible from adjacent public streets and residential uses.
- b. Front loading docks are not permitted.

J. STREETSCAPE STANDARDS

- 1. Streetscape elements such as brick pavers, benches, waste bins, planters, street tress, and window boxes are encouraged and should be coordinated with the city to ensure compatibility.

2. Utility Installation

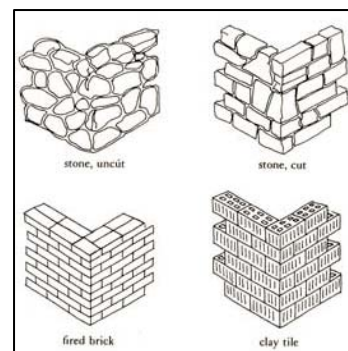
- a. All utilities shall be underground.

K. ARCHITECTURAL STANDARDS

- 1. Standards for building walls - Where clearly visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses.

- a. Materials - The following materials are permitted:

- 1) Brick and tile masonry
- 2) Stucco (cementitious finish)



- 3) Native stone (or synthetic equivalent)
- 4) Pre-cast masonry (for trim and cornice elements only)
- 5) Gypsum reinforced fiber concrete (GFRC – for trim elements only)
- 6) Exterior Insulation Finish System fascias, with moderate finish texture.

b. Configurations and Techniques

1) Walls

- a) Wall openings shall be taller than they are wide except as otherwise permitted for atriums and arcades.
- b) Wall openings shall not span vertically more than one story except as otherwise permitted for atriums and arcades.
- c) Wall materials shall be consistent horizontally (i.e. joints between different materials must be horizontal and continue around corners) except for towers, chimneys and piers.

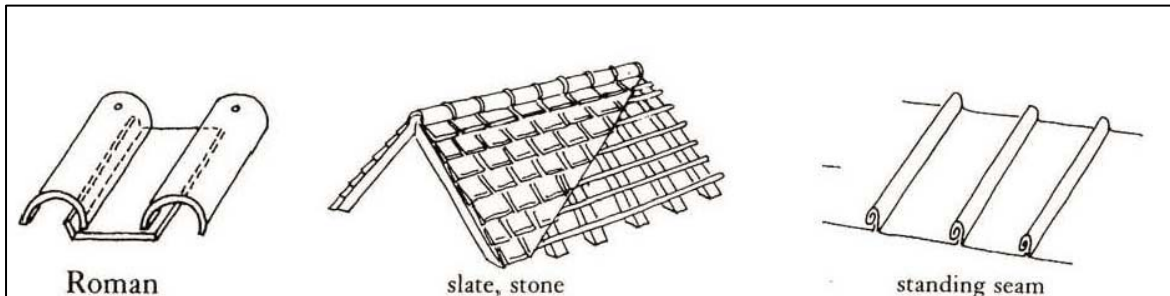
c. Stucco (cementitious finish)

- 1) Smooth or sand finish only, no “cake icing” finish.

2. Standards for roofs and parapets - Where clearly visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses.

a. Materials: The following materials are permitted:

- 1) Clay or concrete (faux clay)
- 2) Tile (barrel or flat roman)
- 3) Slate (Equivalent synthetic or better)
- 4) Metal (Standing seam 5-v crimp, equivalent or better)
- 5) Shingle

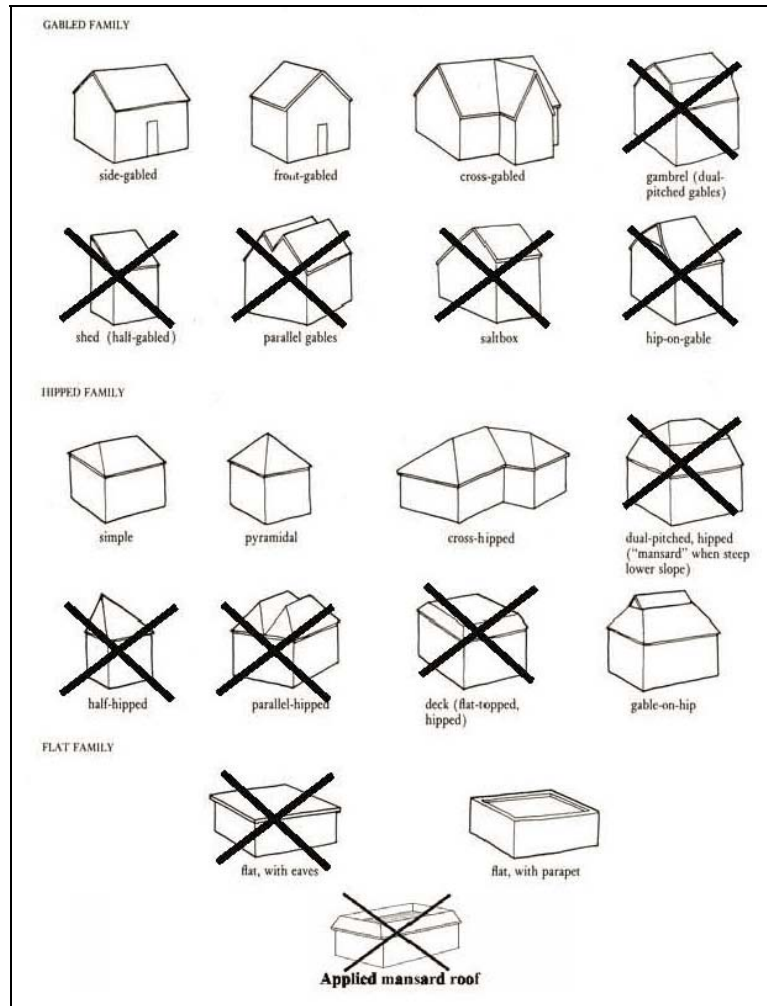


b. Only the following roof configurations and techniques are permitted:

1) Roof shapes:

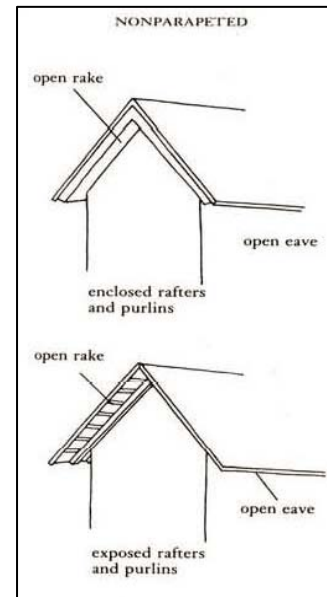
- a) Side gabled
- b) Front gabled
- c) Cross gabled
- d) Simple hipped
- e) Pyramidal hipped

- f) Cross hipped
- g) Gable-on-hipped
- h) Flat with parapet



2) Pitched roofs (exclusive of roofs behind parapet walls):

- a) The primary ridge beam shall run parallel to the street.
- b) Simple hip and gable roofs shall be symmetrically pitched between 25 and 50 percent.
- c) Mechanical equipment must be screened from view from the ground, and from all public use areas adjacent to the site in question.
- d) Sloping roofs with a vertical rise that exceeds one-half the average height of supporting walls as measured along each facade are not permitted.

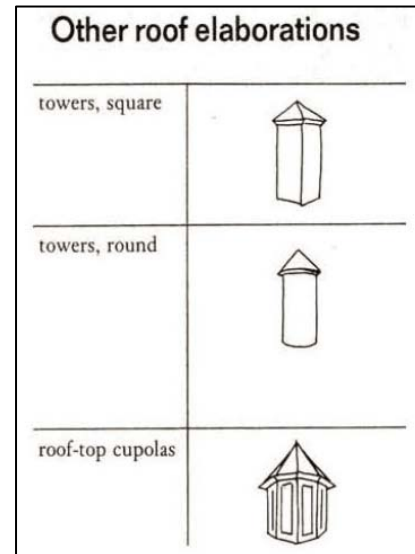
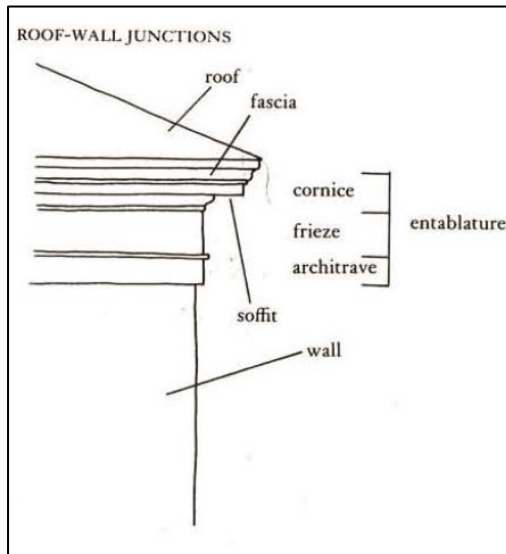
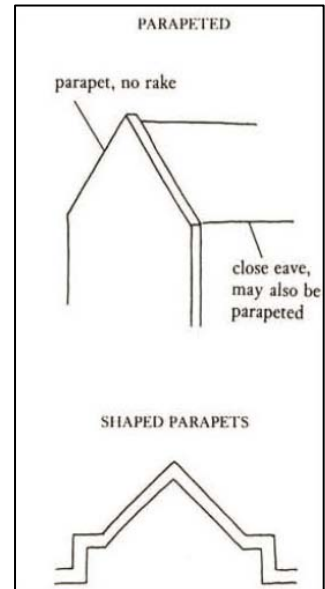


3) Overhang

- a) Eaves must overhang at least 24 inches on primary structures.
- b) Rakes (gable end) must overhang at least 18 inches.
- c) Balconies must be minimum of four (4) feet of platform and be accessible from the interior.

c. Parapet Roofs and Other Features

- 1) Parapets, towers, or cornices, both incorporating a peaked or a flat-faced elevation shall be incorporated into each building design in the development.
- 2) Parapet walls sufficiently high enough to screen rooftop mechanical from viewing shall conceal roofs of building structures that are generally flat.
- 3) Parapet height shall be measured at the top of the Parapet, including any coping. An additional 3 feet in height by 12 feet in width (or 15 percent of the facade, whichever is greater) is permitted for a section of the Parapet emphasizing the building's main street entry or a corner. Any other variations regarding building heights must receive a variance.
- 4) Facades that exceed 100 feet in length measured along the street frontage shall have variations in roofline or rooftop parapet.



- 3. Standards for Windows and Doors - Where clearly visible from streets, sidewalks, outdoor amenities, recreational areas or other public uses. (Exceptions include religious buildings.)

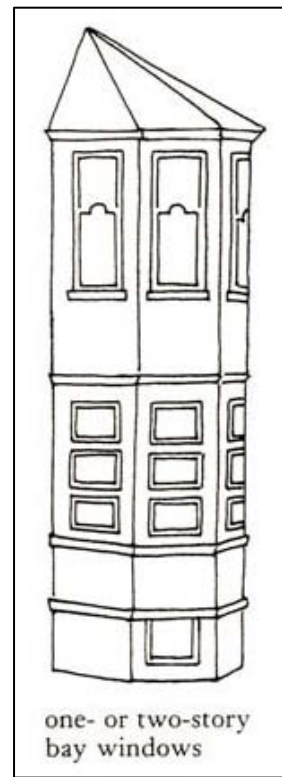
a. Materials: The following materials are permitted.

- 1) Windows of anodized aluminum, wood, clad wood, vinyl, or steel
- 2) Window glass must be clear, with light transmission at the ground story at least 90%, and at least 75% for the upper stories
- 3) Specialty windows may utilize stained or opalescent glass
- 4) Window screens shall be black or gray
- 5) Screen frames shall match window frame material or dark anodized
- 6) Doors of wood, clad wood, or metal

b. Configurations and Techniques

1) The following requirements apply to all windows:

- a) Openings for windows, windowpanes, and doors shall be taller than they are wide. Transom windows are not included in the measurements of this requirement.
- b) Windows may be ganged horizontally (maximum 3 per group) if subdivided by a mullion, column, pier or wall section that is at least 7 inches wide.
- c) Windows shall be no closer than 30 inches to building corners, excluding bay windows and where the building corner is also a block corner.
- d) Bay windows shall have a minimum interior clear width at main wall of 4 feet; projection not greater than 36 inches beyond the build-to line; walls and windows shall be between 90 degrees (perpendicular) and 0 degrees (parallel) relative to the primary wall from which they project. Bay windows may not project into any adjacent right-of way or property line.
- e) Exterior shutters shall be sized and mounted appropriately for the window (1/2 the width), even if inoperable.



2) The following requirements apply to all upper-story windows:

- a) Windows shall be double-hung, single-hung, awning, or casement windows.
- b) Fixed windows are permitted.
- c) Egress windows may be installed according to the appropriate building code.

3) Store front (ground floor) windows and doors:

- a) Single panes of glass not larger than 8 feet in height by 4 feet wide.

b) Ground floor windows shall not be made opaque by window treatments (excepting operable sunscreen devices within the air conditioned space) and shall allow a minimum 50 percent of surface view into the building for a depth of at least 20 feet.

4) Doors

a) Double-height entryways (those that span more than one story) are not allowed.

b) Entryways may be set at a 45-degree angle to the door and shall have a clear view of the interior as shown in the adjacent picture.



L. STREET WALL STANDARDS

1. Materials

- a. Native stone (carved with local and traditional techniques) and equivalent imitation stone
- b. Metal – Wrought iron, welded steel and/or aluminum (black) – chain link fence is not permitted.
- c. Brick
- d. Stucco on concrete block (or poured) only with brick or stone coping.
- e. A combination of materials; i.e. stone piers with brick infill panels.

2. Configurations and Techniques

- a. Stucco Street Walls shall have a hardy species of climbing vine planted along them.
- b. Metal work may additionally be treated to imitate a copper patina.
- c. All Street Wall facades shall be as carefully designed as the building façade, with the finished side out, i.e. the “better” side facing the street.

M. RETAINING WALL STANDARDS

1. Materials

When retaining walls are used, the following materials may be used:

- a. Native stone and equivalent cultured/imitation stone (carved with local and traditional techniques)
- b. Brick

2. Configurations

- a. Walls not designed and approved by a registered professional engineer may not exceed four (4) feet in height. Walls greater than six (6) feet in height must be

screened in a planting bed of not less than 10 feet in width, parallel to the exposed side of the retaining wall, with one of the following:

- 1) 1 shade/canopy tree per 35 linear feet, or fraction thereof, plus a single row hedge of shrubs.*
- 2) 1 understory/flowering tree per 20 linear feet, or fraction thereof, plus a single row hedge of shrubs.*

*Plant Palette can be found in Article XV of the Shelby County Zoning Regulation.

- b. A series of smaller retaining walls is preferable to one large wall, provided that the series of walls can be built without excessive removal of vegetation during construction, and must be re-vegetated.

N. COLORS

1. Building Wall Colors

- a. Colors chosen for the building facades shall be of the same color palette/shade regardless of whether the structure is used as single or multi tenant space.
- b. Colors chosen for the building exteriors shall be taken from an earth tone color palette or substitute as acceptable by the city. Colors may allow for national identity, with approval from the city.
- c. Brick shall approximate the color of bricks made from regional clays.
- d. Primary colors shall not be used for building walls unless they are a muted tone.
- e. Neon colors are not allowed.

2. Roof Colors

- a. Natural colors or substitute as acceptable by the city.

3. Trim Colors

- a. For windows, soffits, cornices, moldings, etc.: whites, tans or black, bronze or substitute as acceptable by the city. Aluminum windows, screen frames, etc. shall be bronze anodized.
- b. Schemes may have no more than two trim colors.
- c. Entry doors are permitted a greater color latitude, subject to approval by the city.
- d. Brick and stone shall be left their natural color.

O. ACCESSORY STRUCTURES

1. Accessory structures shall have the same architectural detail, elements, materials and roof design as the principal structure.
2. Size, placement and screening of accessory structures:
 - a. Storage areas, refuse areas, mechanical equipment, and gas pumps with associated canopies, shall not be visible from the street.
 - b. Use of wing walls and other similar structures is required.

3. Drive-through Facilities

a. Drive-through, drive-up, or drive-in windows are not permitted.

4. Automated teller machines (ATMs)

a. ATMs are permitted only if incorporated into the primary building.

b. ATMs shall not be accessible via drive aisles or a drive-through. They must be walk up only.

P. LIGHTING STANDARDS

1. Plan Requirements

a. A lighting plan shall be submitted for review including details of, but not limited to, the number and location of all luminaries, height of poles, intensity, lighting patterns and details of lighting fixtures.

b. All lighting fixtures/poles shall be black tapered poles.

2. Specifications

a. No flashing, traveling, animated, neon or intermittent lighting shall be permitted whether such lighting is for temporary or for long-term duration. No fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) may be used on the exterior of buildings.

b. Floodlights or directional lights (max. 75-watt bulbs) may be used to illuminate parking garages and maintenance areas, but must be shielded or aimed away from the property line. Floodlighting shall not be used to illuminate building walls (i.e. no up-lighting) or parking areas.

c. All luminaries designed for entryways and decorative purposes on nonresidential and multifamily residential buildings and structures that exceed 2,000 lumens shall have fixtures that cut off light from direct view.

3. Lighting for Off-Street Parking

a. The limits of minimum illumination in the parking areas shall in no case be less than 0.2-foot candles, unless otherwise required by the city where pedestrian security and site entrance issues arise.

b. The following requirements for minimum and maximum illumination apply:

Table 5: Minimum and Maximum Illumination

<u>Primary Use*</u>	<u>Maximum permitted illumination at property line (in foot candles)</u>	<u>Maximum permitted height of luminaries (in feet)</u>	<u>Minimum Maintained illumination at site (in foot candles)</u>
<u>Commercial</u>	<u>0.5 (0.2 where adjacent to residential areas)</u>	<u>20</u>	<u>0.2</u>

Residential	0.2	12	=
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* If the use is 60% or greater on the site.

- c. All outdoor lighting shall be reduced by 25% during non-operating hours in mixed-use areas.
- d. All luminaries utilized shall be designed to have full cutoff or cutoff type fixtures to shield light from the direct view of an observer at ground level at the property line.
- e. All lighting must be located on poles or at ground level and must be directed toward the property interior.

4. Lighting for Pedestrian Walkways/Bikeways

- a. Pedestrian walkways/bike lanes adjacent to roadways shall maintain a minimum average illuminance level based on the primary use (See Table 6).
- b. Pedestrian walkways and bikeways away from roadways shall be lit and shall maintain an average illuminance level no less than 0.5 foot-candles.
- c. The maximum lighting levels in any pedestrian area (excluding building entrances) shall not exceed a maintained level of 3 foot-candles.

Table 6: Average Illuminance

Primary Use	Minimum Average Illuminance Level In foot candle
Commercial	1
Mixed Use	0.5
Residential	0.2

- d. The uniformity ratio shall not exceed 4:1 except where increased pedestrian security is desired in which case the uniformity ratio shall not exceed 5:1.
- e. Luminaries shall have a low brightness with an internal shield and prismatic refractor such as a 50-watt metal halide lamp with Aromat electronic ballast or a 55-watt induction lamp. Their aesthetic character shall be appropriate for the surrounding buildings and landscape, as approved by the plan.
- f. Civic greens, squares and pedestrian walkways shall include luminaries of a particular "period" or architectural style (except when adjacent to residential buildings) such that:
 - (1) If the fixtures are not cut off luminaries, the maximum output shall not be more than 2,000 lumens (60 watts incandescent).
 - (2) Maximum pole height of luminaires shall not exceed 12 feet.
- g. Decorative bollard lighting may be used in place of pole-mounted fixtures to direct light towards walkways/bikeways within public open space or civic areas. The height of decorative bollards shall not exceed 4 feet.

Q. SIGNAGE STANDARDS

- 1. Article XI of the Shelby County Zoning Regulation applies with the following additional regulations:

- a. Facade signs are permitted only within the area between the first story and the second story, but no higher than 25 feet, and no lower than 10 feet above the adjacent grade.
- b. Window signs: One (1) per street frontage shall be permitted per business establishment not to exceed 25% of the window area on that building wall.
- c. Internally illuminated signs are prohibited.
- d. Non-illuminated names of buildings, dates of erection, monument statues, tablets when carved into stone, concrete, metal, or any other permanent type of construction and integral part of an allowed structure are permitted, not larger than five (5) square feet in size.
- d. Freestanding signs and cabinet type facade signs are not permitted.
- e. Flashing, traveling, animated, LED, or intermittent lighting are not permitted.
- f. Pedestrian-oriented signs

- 1) Pedestrian oriented signs are signs that are designed for and directed toward pedestrians so that they can easily and comfortably read the sign, as they stand adjacent to the business.
- 2) One (1) pedestrian-oriented sign is permitted per business for facades facing the public street.
- 3) Signs of this type shall be erected on or attached to and not parallel to a building.
- 4) Signs must not be placed lower than ten (10) foot above grade.
- 5) Signs must not exceed four (4) square feet in size and not extend beyond the building wall more than twenty-four (24) inches.



2. Finish Materials

- a. All exterior materials will be of high quality, durable, and easy to maintain, and provide for longevity of use. Permitted finish materials include:
 - 1) Masonry
 - 2) Wood; painted, stained or natural
 - 3) Metal
 - 4) Plastic, when used for individual letters and symbols only