

# City of Butler, Indiana Zoning Ordinance

## Article 6 – Development Standards



**6.1 - How to Use this Article** - Article Six contains development standards which are arranged by category. There are two ways to determine which development standards apply to a specific zoning district. They are:

- A. Refer to the two-page layouts in Articles [Articles Two](#), [Three](#) and [Four](#) for a specific zoning district. In the "Additional Development Standards that Apply" box for that specific Zoning District are listed four-digit codes that determine which development standards apply. Only the four-digit codes noted in the "Additional Development Standards that Apply" section apply to that Zoning District.

*(As an example, on page 2-2, the four digit code "DI-01" can be found under the "Additional Development Standards that Apply" section in the Single-Family Residential (SFR) District. Therefore, the Development Standards in the section labeled "DI-01" (on page 6-5) would apply to the Single-Family Residential (SFR) District).*

- B. Refer to the icons used at the top of each development standard section in Article Six. Each development standard section begins with a four-digit code and introductory sentence followed by icons with zoning district abbreviations (i.e. REC for the Open Space and Recreational District or MFR for the Multifamily Residential District). These district icons note that the development standard written in that section applies to that district.

*[As an example, on page 6-3, the SFR icon can be found under the AS-01 development standard section. Therefore, the language in the AS-01 section would apply to the SFR district.]*

Symbol	Section Name	Page #	Symbol	Section Name	Page #
AS	<a href="#">Accessory Structure Standards</a>	6-2	OS	<a href="#">Outdoor Storage Standards</a>	6-18
DI	<a href="#">Density &amp; Intensity Standards</a>	6-3	PK	<a href="#">Parking Standards</a>	6-19
ED	<a href="#">Entrance / Driveway Standards</a>	6-4	PF	<a href="#">Performance Standards</a>	6-24
EN	<a href="#">Environmental Standards</a>	6-6	PI	<a href="#">Public Improvement Standards</a>	6-25
FW	<a href="#">Fence &amp; Wall Standards</a>	6-7	SW	<a href="#">Sewer &amp; Water Standards</a>	6-25
FP	<a href="#">Floodplain Standards</a>	6-8	SO	<a href="#">Sexually Oriented Business Standards</a>	6-26
HT	<a href="#">Height Standards</a>	6-8	SI	<a href="#">Sign Standards</a>	6-28
HO	<a href="#">Home Occupation Standards</a>	6-9	SE	<a href="#">Special Exception Standards</a>	6-31
LA	<a href="#">Landscaping Standards</a>	6-11	ST	<a href="#">Structure Standards</a>	6-31
LT	<a href="#">Lighting Standards</a>	6-13	TC	<a href="#">Telecommunication Facility Standards</a>	6-32
LD	<a href="#">Loading Standards</a>	6-14	TU	<a href="#">Temporary Use / Structure Standards</a>	6-35
LO	<a href="#">Lot &amp; Yard Standards</a>	6-15	VC	<a href="#">Vision Clearance Standards</a>	6-37
MH	<a href="#">Manufactured &amp; Mobile Home Standards</a>	6-17			

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**6.2 – Accessory Structure Standards - AS-01** - This Accessory Structure Standards section applies to the following districts:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>			
	MFR	OTR	SFR	GB			NB			

The following accessory structure standards apply:

- A. Accessory Structures with a Roof** - These structures include sheds, mini-barns, pole barn structures, lean-to structures, carports, detached garages, gazebos, and similar buildings. Accessory structures with a roof shall meet the following regulations.
  1. The structures shall not be permitted prior to the erection of the principal building.
  2. The structures shall relate to the primary structure and its uses; and be used in connection to the specific primary use.
  3. The structures shall meet all setback and height limitations as described in each two-page layout in [Articles Two, Three and Four](#).
  4. The maximum number of accessory structures with a roof on a lot is two.
  5. Accessory structures are not allowed to be constructed or encroach into an easement.
  6. No accessory structure shall consist of or be composed of a trailer, semi-truck trailer, former parts of vehicles truck cabs, camper shells, or anything that was designed to be part of a moving vehicle.
  
- B. Accessory Structures without a Roof** - These structures include decks greater than 10 square feet and swimming pools. Accessory structures without a roof shall meet the following regulations.
  1. The structures shall not be permitted prior to the erection of the principal building.
  2. The structures shall relate to the primary structure and its uses; and be used in connection to the specific primary use.
  3. The structures shall meet all setback, height and coverage limitations as described in each two-page layout in [Articles Two, Three and Four](#).
  4. Accessory structures are not allowed to be constructed or encroach into an easement.

**6.3 – Accessory Structure Standards - AS-02** - This Accessory Structure Standards section applies to the following district:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>			
MHC										

- A. Accessory Structures** - Management offices, sales offices, maintenance garage, laundry and other structures customarily incidental to mobile home communities are permitted, provided the following regulations are met.

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1. The accessory structure is subordinate to the residential component of the park; and
2. The accessory structure is located, designed and intended to serve only the needs of the park; and
3. The establishments located within the accessory structure present no visible evidence of their business nature to areas outside the park.
4. No accessory structure shall consist of or be composed of a trailer, semi-truck trailer, former parts of vehicles truck cabs, camper shells, or anything that was designed to be part of a moving vehicle.

**B. Dwelling Site** - Each dwelling site with a permitted dwelling unit may install one garage or carport, one shed or mini-barn and one deck greater than 10 square feet.

**6.4 – Accessory Structure Standards - AS-03** - This Accessory Structure Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
					HI	LI		AG	INS	REC

The following accessory structure standards apply:

**A. Placement of Accessory structures:**

1. Accessory structures shall not be permitted prior to the erection of the principal building, where such a building will exist.
2. Accessory structures shall relate to the primary use of the land.
3. Accessory structures shall meet all setback and height limitations as described in each two-page layout in [Articles Two](#), [Three](#) and [Four](#).
4. There is no limit on the number of accessory structures allowed.
5. Accessory structures are not allowed to be constructed or encroach into an easement.
6. Mobile units (trailers) are permitted accessory structures provided the following requirements are met:
  - a. The units shall be used to accommodate overcrowding of people,
  - b. The units shall meet all applicable setbacks, and
  - c. The units shall be used for a maximum of two years.

**6.5 – Density and Intensity Standards - DI-01** - This Density and Intensity Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following density and intensity standards apply:

**A. Maximum Density** - Shall be per each two-page layout in [Articles Two](#), [Three](#) and [Four](#).

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**B. Maximum Lot Coverage** - Shall be per each two-page layout in [Articles Two, Three and Four](#).

**C. Applicability** - If one or more of the above listed density or intensity standard does not appear on the two- page layout for a zoning district, then it does not apply to that particular zoning district.

**6.6 – Entrance / Driveway Standards - ED-01** - This Entrance and Driveway Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR				NB			

The following entrance and driveway standards apply:

**A. Access Points:**

1. A lot may have one street entrance for each street frontage.
2. A lot may have one alley entrance for each improved alley frontage.
3. The entrance width for one-way traffic is 12 to 16 feet.
4. The entrance width for two-way traffic is 24 to 28 feet.
5. An additional six feet of pavement is allowed for a turning lane when there is a dedicated left or right turning lane and a minimum of 40 feet of stacking room.

**B. Surface Materials:**

1. Driveways accessing a paved street or paved alley shall be paved with an impervious surface.
2. Driveways accessing a gravel alley may be gravel or paved with an impervious surface.
3. When a driveway is connecting a paved street and a gravel alley, the driveway shall be paved with an impervious surface.
4. Existing gravel driveways may be maintained and expanded on private property but shall not be enlarged within the city right-of-way, which includes widening the access point.
5. Existing paved driveways may be expanded on private property but shall be paved with a like material.

**6.7 – Entrance / Driveway Standards - ED-02** - This Entrance and Driveway Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI		AG	INS	REC

The following entrance and driveway standards apply:

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### A. Access Points:

1. A lot may have one entrance for each 300 feet of street frontage. A maximum of two entrances are permitted per street frontage.
2. A lot may have one alley entrance for every 100 feet of improved alley frontage.
3. No entrances shall be permitted to be installed:
  - a. Within 100 feet of any intersecting street if along an arterial or collector street (see "A" in the illustration). If the property is not large enough to achieve a 100-foot separation, then the entrance shall be installed at a location farthest from the intersection.
  - b. Within 50 feet of any intersecting street if along a local street (see "A" in the illustration). If the property is not large enough to achieve a 50-foot separation, then the entrance shall be installed at a location farthest from the intersection.
  - c. Under no circumstances will an entrance be allowed within 30 feet of any intersection of a street, driveway or other entrance.
  - d. The distances for the above standards shall be determined by measuring from curb/edge of pavement to curb/edge of pavement at the right-of-way line.
4. The entrance width for one-way traffic is 12 to 18 feet.
5. The entrance width for two-way traffic is 24 to 32 feet.
6. An additional six feet of pavement is allowed for a turning lane when there is a dedicated left or right turning lane and a minimum of 40 feet of stacking room.



C. **Surface Materials** - All driveways shall be paved with an impervious surface.

D. **Improvements** - The Community Development Office may determine if the following are necessary based on industry standards:

1. An acceleration or deceleration lane, or
2. A passing blister at a new entrance or drive.

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**6.8 – Environmental Standards - EN-01** - This Environmental Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following environmental standards shall apply:

- A. Excessive Slope** - Areas of land shall be deemed unsuitable for buildings when pre-development or post-development slopes are greater than 25%.
- B. Unsuitable Land Qualities** - Areas of land shall be deemed unsuitable for buildings when it:
  - 1. Contains adverse soil or rock formations,
  - 2. Is highly susceptible to erosion,
  - 3. Has low percolation rate,
  - 4. Has low weight bearing strength, or
  - 5. Has any other feature likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of the community.
- C. Erosion Prevention** - All land, regardless of slope, from which structures or natural cover has been removed or otherwise destroyed, may be required to be graded and seeded within 30 days after the removal or destruction of said natural cover to prevent erosion. All land shall meet the minimum erosion prevention requirements of Indiana Administrative Code 327 and its amendments.
- D. Waste Disposal** - No waste materials such as garbage, rubbish, trash, construction material, gasoline, oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that may contaminate, pollute, or harm the waters or soils shall be deposited, located, stored, or discharged on any lot.
- E. Fuel Storage** - No flammable or explosive liquids, solids, or gasses as specified by the State Fire Marshal may be stored in bulk above ground, except tanks or drums of fuel connected directly with energy devices or heating appliances located and operated on the same lot as the tanks or drums of fuel.
- F. Debris/Refuse** - Debris, refuse, trash, construction material, garbage, litter, unfinished buildings, scrap metals, or rotting wood is considered a nuisance and a threat to the environment. To protect the health and safety of residents, these materials shall not accumulate on any property.

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**6.9 – Fence and Wall Standards - FW-01** - This Fence and Wall Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following fence and wall standards apply:

**A. Placement:**

1. A Fence Permit is required before a fence can be installed or constructed. See Section 8.4.
2. Fences and walls shall be no closer than two feet to the property line. Fences may be placed closer than two feet to the property line with written permission from the property owner that shares said line.
3. Fences are permitted in easements if the property owner obtains permission from all utilities utilizing the easement and signs a consent form. The consent form shall state the property owner understands the fence can be destroyed, damaged, and/or removed by a utility company to access the easement, and costs to repair or replace the fence are borne by the property owner.
4. Walls are not permitted in any easement.

**B. Construction Standards:**

1. Fences and walls shall not incorporate barbed wire, security wire, sharpened top spikes, electrified wires or the like that are located above the ground.
2. Fences shall not incorporate or be constructed of chicken wire or other similar wire materials except for chain link fencing.
3. Temporary construction fence may be utilized when an improvement location permit has been issued for a property without obtaining a separate fence permit. The temporary construction fence shall be removed when the construction is completed or when the improvement location permit has expired, whichever occurs first.
4. Fences and walls shall present the non-structural face outward.
5. All fences and walls, whether for privacy or decoration, are required to be properly maintained and kept in good repair at all times.

**6.10 – Fence and Wall Standards - FW-02** - This Fence and Wall Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR				NB			

The following fence and wall standards apply:

- A. Placement** - Fences and walls are not permitted in front of the front building setback line.
- B. Construction Standards** - Fences and walls shall not be greater than six feet in height.

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**6.11 – Fence and Wall Standards - FW-03** - This Fence and Wall Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI	NB	AG	INS	

The following fence and wall standards apply:

- A. Placement** - Fences and walls are not permitted in front of the front building setback line.
- B. Construction Standards** - Fences and walls shall not be greater than eight feet in height, except fences around sport fields and courts.

**6.12 – Fence and Wall Standards - FW-04** - This Fence and Wall Standards section applies to the following district:

The following fence and wall standards apply:

- A. Placement** - Fences and walls may be located in the front yard if the fence or wall is a minimum of 50% opaque (For example: chain link, split rail or picket).
- B. Construction Standards** - Fences and walls shall not be greater than eight feet in height, except fences around sport fields and courts.

**6.13 – Floodplain Standards - FP-01** - This Floodplain Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following floodplain standards apply:

- A. Standards** - See Chapter 153 of the Butler City Code.

**6.14 – Height Standards - HT-01** - This Height Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following height standards apply:

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**A. Maximum Structure Height** - Shall be as per each two-page layout in [Articles Two, Three and Four](#)

**B. Exemptions** - The following types of structures or building features are exempt or partially exempt from the maximum structure height standard as stated:

1. Church steeples, bell towers, and religious symbols are allowed to extend up to a total height of 60 feet.
2. Water towers, telecommunication facilities and silos are allowed up to a height of 199 feet.
3. Chimneys are allowed to extend ten feet above the roof's highest point.
4. Mechanical equipment, when mounted on a roof, is allowed to extend ten feet above the roof's highest point, but shall be:
  - a. Located such that it is not visible from adjacent private and public streets, or
  - b. Shielded from view with a parapet or other architectural feature such that it is not visible from adjacent private or public streets.
5. An elevator bulkhead is allowed to extend 15 feet above the roof's highest point, but shall be:
  - a. Located such that it is not visible from adjacent private and public streets, or
  - b. Shielded from view with a parapet or other architectural feature such that it is not visible from adjacent private and public streets, or
  - c. Be constructed with the same exterior building materials, or
  - d. Be architecturally integrated into the building's design utilizing the same exterior building materials as to not look like an elevator bulkhead.

**6.15 - Home Occupation Standards - HO-1** - This Home Occupation Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>							

**Purpose** - The purpose of the Home Occupation Standards is to allow minimal business practices within certain zoning districts while protecting and maintaining the district's residential character and function.

The following home occupation standards apply:

**A. Permit Required** - All home occupations shall obtain a Home Occupation Permit, see Section 8.6 Home Occupation Permits.

**B. Residency Required** - The primary operator and all employees of the home occupation shall reside on the premises.

**C. Operation Standards:**

1. The home occupation shall be carried on wholly within the primary structure or an accessory structure.

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2. The home occupation shall not generate offensive noise, vibration, smoke, odors, dust, heat, glare, or electrical disturbances.

**D. Construction Standards:**

1. There shall be no visible evidence of the home occupation, including but not limited to alterations to the exterior of the residence which changes the character of the residence, exterior displays, or the outdoor storage of materials or equipment used in the home occupation. Outdoor storage shall include equipment or materials used in the occupation, as well as the accumulation of used, discarded, or worn out materials or manufactured products.
2. The home occupation shall not require the installation of mechanical equipment other than that which is typical for domestic or hobby purposes.
3. The home occupation shall not require the installation of a utility service that is beyond what is standard for a residence, such as three-phase electrical, greater than a 1" water line, etc.

**E. Sign Standards** - One non-illuminated sign, not exceeding two square feet, will be allowed on the primary structure. Off-site signs and signs in the yard are prohibited. No variances shall be granted for home occupation signs.

**F. Exclusions** - The following uses are not permitted as home occupations under any circumstances:

1. Medical clinic of any kind
2. Retail dress shop
3. Funeral home
4. Animal hospital
5. Kennel
6. Manufacturing Facility
7. Trailer rental or sales
8. Automobile, motor vehicles, equipment repair of any kind or painting
9. Tooling, welding or machining of any kind
10. Tool or equipment rental of any kind
11. Restaurant
12. Salvage operation
13. Freight or trucking operation of any kind

**6.16 - Home Occupation Standards - HO-2** - This Home Occupation Standards section applies to the following districts:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MFR</b>	<b>OTR</b>	<b>SFR</b>							

The following home occupation standards apply:

**A. Operation Standards** - The home occupation shall not generate traffic in greater volumes than would normally be expected in the neighborhood.

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- B. Parking Standards** - The home occupation shall provide off street parking to accommodate customers. Off street parking shall be in accordance with the provisions of the zoning ordinance and be residential in character. No commercial-style parking lots will be permitted.
  
- C. Permitted Home Occupations** - The permitted home occupations shall be limited to domestic crafts, professional services, catalog businesses, and internet businesses. Uses not listed herein shall be approved by the Board of Zoning Appeals before a Home Occupation Permit is issued.
  - 1. Sewing related business
  - 2. Computer/internet based sales
  - 3. Catalog order business
  - 4. Furniture repair
  - 5. Barber or beautician - two chair limit
  - 6. Home office for lawyer, doctor, architect, engineer, accountant, consultant
  - 7. Home office for real estate, insurance, notary public
  - 8. Clergy office
  - 9. Art studio, writing studio, music studio, photography studio
  - 10. Teaching art, writing, or music limited to two students at a time.

**6.17 - Home Occupation Standards - HO-3** - This Home Occupation Standards section applies to the following district:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC									

The following home occupation standards apply:

- A. Operation Standards** - The home occupation shall not generate any customers to the property.
  
- B. Permitted Home Occupations** - The permitted home occupations shall be limited to domestic crafts, professional services, catalog businesses, and internet businesses where the customer does not travel to the home. Uses not listed herein shall be approved by the Board of Zoning Appeals before a Home Occupation Permit is issued.
  - 1. Sewing related business
  - 2. Computer/internet based sales
  - 3. Catalog order business
  - 4. Home office for lawyer, doctor, architect, engineer, accountant, consultant
  - 5. Home office for real estate, insurance
  - 6. Clergy office
  - 7. Art studio, writing studio, music studio, photography studio

**6.18 – Landscaping Standards - LA-01 – (General Landscape)** - This Landscaping Standards section applies to the following districts:

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<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

**Purpose** - The landscaping standards are intended to enhance Butler’s natural environment and foster aesthetically pleasing development which will protect, preserve and improve the appearance, character, health, safety and welfare of the community.

The following landscaping standards apply:

**A. Placement:**

1. Landscape material shall not be planted or placed in the right-of way without permission from the City Superintendent. A tree canopy may project over a right-of-way.
2. Landscape material shall not be planted or placed in an easement without written permission from the easement holder that utilizes the easement unless otherwise required by this Ordinance. A tree canopy may project over an easement.
3. The scale and nature of landscaping materials shall be appropriate to the size of the structures and the available space. Materials shall be located to avoid interference with overhead or underground utilities or vehicular and pedestrian movement and visibility.
4. Landscape material exceeding three feet in height shall be located outside of the vision clearance triangle. See Section 6.49 Vision Clearance Standards.

**B. Construction Standards:**

1. The landowner and/or tenant are jointly responsible for the regular maintenance of all landscaping elements such as trees, vegetation, irrigation systems, fences, walls and other landscape materials such that they are kept in good condition.
  - a. All plant material shall be maintained alive, healthy, and free from disease and pests.
  - b. All landscaped areas shall be free of weeds, litter, graffiti, and similar signs of deferred maintenance.
2. Grass and other vegetative ground cover shall be used for all open space. Decorative mulch planting beds are permitted around structures, shrubs and trees.

**6.19 – Landscaping Standards - LA-02 [Parking Lot Landscaping]** - This Landscaping Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
	MFR			GB	HI	LI	NB		INS	

The following landscaping standards apply:

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**A. Parking Lot Standards** - Parking lots over 19 spaces shall provide perimeter landscaping as follows:

1. One tree per 80 linear feet of circumference around the parking lot.
2. One shrub per 50 linear feet of circumference of a parking lot facing a public street.
3. Trees and shrubs may be spaced irregularly in informal groupings.
4. At the election of the property owner, as much as 50% of the required tree and shrub plantings may be planted in parking lot landscape islands or bump-outs.
5. Islands or bump-outs shall be 150 square feet in area or greater and be mulched or a hardy plant ground cover used.

**6.20 – Lighting Standards - LT-01** - This Lighting Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>	<b>GB</b>	<b>HI</b>	<b>LI</b>	<b>NB</b>	<b>AG</b>	<b>INS</b>	<b>REC</b>

The following lighting standards apply:

**A. General Standards:**

1. The maximum allowable light at a property line is 5 lux. The only exceptions to this standard is as follows:
  - a. When the subject property is zoned for business use and the adjacent property is also zoned for business or industrial use, then the allowable light at the property line is 20 lux (only on the sides of the property that are adjacent to the similar zoning district).
  - b. When the subject property is zoned for industrial use and the adjacent property is also zoned for industrial use, then the allowable light at the property line is 20 lux (only on the sides of the property that are adjacent to the similar zoning district).
2. Measurements of light readings shall be taken along any portion of a property line of the subject property with a light meter facing the center of the subject property at a height of five feet.
3. All ground lighting used to cast light on building facades, features of buildings or signs shall have shields to assure that light does not project beyond the building or sign and shall utilize the minimum amount of light necessary to light the facade, building feature or sign. The light fixture and bulb shall be shielded from view of any street, public sidewalk, or parking lot.
4. Light fixtures shall have shields installed to prevent direct lighting on streets, alleys, and adjacent properties.
5. Sport field lights shall not exceed 50 feet in height and shall be shut off by 10PM on Sunday thru Thurs- day and by 11PM on Friday, Saturday and holidays.

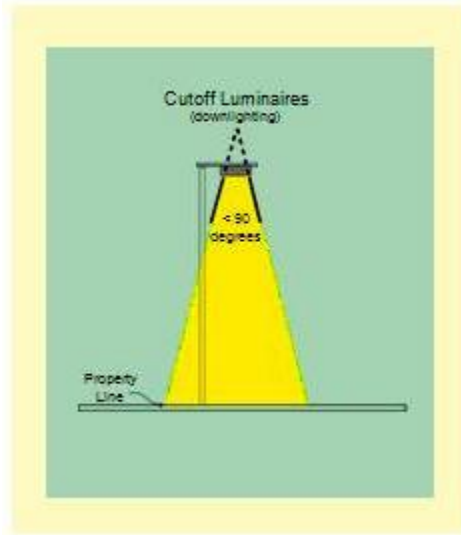
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### B. Parking Lot Standards -

1. All parking lots shall be illuminated with lighting fixtures and poles that are consistent in color, size, height, and design and are compatible with the architecture of the building.
2. All parking lot lights shall utilize cutoff luminaires with ninety degree or less of an angle (downlighting).
3. Parking lot lights shall not exceed 25 feet in height.



**6.21 - Loading Standards (LD) - LD-01** - This Loading Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI	NB		INS	

The following loading standards apply to loading docks:

### A. Placement:

1. All off-street loading docks shall be located on the same lot as the use to be served.
2. Loading docks shall not be located in a front, side or rear setback.
3. Loading docks shall not face a public street.
4. When any portion of the loading docks are visible from a public street, the loading docks shall be screened by either building walls, a solid fence, densely planted shrubbery, or any combination thereof, none of which may be less than six feet in height.
5. When loading docks are facing or oriented to a side or rear lot line of an adjoining Residential District, the loading docks shall be screened from view from such Residential District by either building walls, a solid fence, densely planted shrubbery, or a combination thereof, none of which may be less than six feet in height.



- 6. No portion of a vehicle using a loading dock shall project into a street or alley right-of-way.
- 7. Loading docks shall have adequate accessibility from an appropriate street, maneuvering apron and vertical clearance for truck deliveries. Truck maneuvering in the right-of-way shall not be permitted.

**B. Construction Standards** - Loading docks shall be paved with asphalt or concrete.

**6.22 - Lot and Yard Standards (LY) - LO-01** - This Lot and Yard Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following lot and yard standards apply:

- A. **Minimum Lot Area** - Shall be per each two-page layout in [Articles Two, Three and Four](#).
- B. **Minimum Lot Width** - Shall be per each two-page layout in [Articles Two, Three and Four](#).
- C. **Minimum Front Yard Setback** - Shall be as per each two-page layout in [Articles Two, Three and Four](#).
- D. **Minimum Side Yard Setback** - Shall be as per each two-page layout in [Articles Two, Three and Four](#).
- E. **Minimum Rear Yard Setback** - Shall be as per each two-page layout in [Articles Two, Three and Four](#).
- F. **Minimum Dwelling Site Area** - Shall be per each two-page layout in [Article Two](#).
- G. **Minimum Dwelling Site Width** - Shall be per each two-page layout in [Article Two](#).
- H. **Maximum Dwelling Site Coverage** - Shall be per each two-page layout in [Article Two](#).
- I. **Minimum Dwelling Site Front Yard Setback** - Shall be as per each two-page layout in [Article Two](#).
- J. **Minimum Dwelling Site Side Yard Setback** - Shall be as per each two-page layout in [Article Two](#).
- K. **Minimum Dwelling Site Rear Yard Setback** - Shall be as per each two-page layout in [Article Two](#).
- L. **Minimum Dwelling Size** - Shall be as per each two-page layout in [Article Two](#).
- M. **Minimum Dwelling Unit Width** - Shall be per each two-page layout in [Article Two](#).

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**N. Applicability** - If one or more of the above listed lot and yard standards does not appear on the two-page layout for a zoning district, then it does not apply to that particular zoning district.

**O. Exemptions** - The following site features are exempt or partially exempt from the setback requirements as stated.

1. Fences and walls are exempt from the setbacks in this section, but shall abide by fence and wall standards in this article.
2. Landscaping is exempt from the setbacks in this section, but shall abide by landscaping standards in this article.
3. Trails in parks and recreation facilities are exempt from the setbacks in this section.
4. Sidewalks along any right-of-way and that connect buildings to the public sidewalk system are exempt from the setbacks in this section.
5. Entrances and driveways are exempt from setbacks in this section, but shall abide by the entrance and driveway standards in this article.
6. Parking lots are exempt from setbacks in this section, but shall abide by parking standards in this article.
7. Signs are exempt from setback in this section, but shall abide by sign standards in this article.
8. Handicap accessibility ramps and wheel chair lifts should be designed within the building setbacks. However, handicap accessibility ramps and wheel chair lifts may be exempt from the setbacks in this section if the device would not be able to be installed within the required setbacks. The devices shall meet all applicable buildings codes.
9. Overhangs, wing walls, steps and chimneys may project into any required yard not more than two feet.
10. An open platform or landing which does not extend above the level of the first floor of the building may extend into any required rear or side yard not more than 25% of the required yard depth.

**6.23 - Lot and Yard Standards (LY) - LO-02** - This Lot and Yard Standards section applies to the following district:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>	<b>GB</b>	<b>HI</b>	<b>LI</b>	<b>NB</b>	<b>AG</b>	<b>INS</b>	<b>REC</b>

The following lot and yard standards apply:

**A. Animals** - Cattle, swine, sheep, goats, poultry and rabbits may be kept on a noncommercial basis when housed and fenced on a lot that meets the following requirements:

1. The lot shall be a minimum of 10 acres.
2. The structure shall be a minimum of 400 feet from any property line.

**B. Private Stables** - Horses may be kept on a noncommercial basis when housed and fenced on a lot that meets the following requirements:

1. The lot shall be a minimum of four acres. One additional horse or pony may be kept for each additional 40,000 square feet of land.

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- 2. The structure shall be a minimum of 200 feet from any property line.
- C. **Storage** - The storage of odor or dust producing materials shall be a minimum of 100 feet from any property line or watercourse.
- D. **Other Farm Buildings** - All other farm buildings shall be a minimum of 50 feet from any property line.

**6.24 - Manufactured and Mobile Home Standards - MH-01** - This Manufactured and Mobile Home Standards section applies to the following districts:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MFR</b>	<b>OTR</b>	<b>SFR</b>							

**Purpose** - This section is designed to allow the placement of a manufactured home on any residentially zoned property as long as the home is installed as a permanent residence and the manufactured home meets all of the standards and requirements of the zoning law that applies to the real estate in question.

The following manufactured home standards apply:

- A. **Regulations** - Manufactured homes shall be in accordance with Indiana Code 16-41-27-1 et. seq., Rule 410 Indiana Administrative Code 6-6 and their subsequent amendments, the State Board of Health requirements, and the requirements of this zoning ordinance.
- B. **Construction Standards** - Manufactured homes shall meet all standards applicable to single-family dwellings, including but not limited to the following standards:
  - 1. Manufactured homes shall possess all necessary improvement location, building and occupancy permits and other certifications required by the zoning ordinance.
  - 2. Manufactured homes shall be a minimum of 24 feet in width for at least 60% of the depth.
  - 3. Manufactured homes shall have a minimum of 950 square feet of habitable space.
  - 4. Manufactured homes shall be covered with an exterior material customarily used on site-built residential dwellings.
  - 5. Manufactured homes shall have a roof composed of materials customarily used on site-built residential dwellings such as asbestos, fiberglass, shake, asphalt or tile which shall be installed onto a surface appropriately pitched for the materials used.
  - 6. Manufactured homes shall be attached and anchored to a permanent foundation, in conformance with state regulations set forth in the One and Two Family Dwelling Code and with manufacturer’s specifications.
  - 7. All wheels and axles shall be removed when placed on a permanent foundation.

**6.25 – Mobile Homes - MH-02** - This Manufactured and Mobile Home Standards section applies to the following district:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MHC</b>									

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**Purpose** - This section is designed to promote and preserve single-family mobile home parks and communities.

The following mobile home standards apply:

**A. Placement:**

1. Each dwelling site within a mobile home community shall have separate concrete pads.
2. Each dwelling site within a mobile home community shall have separate utilities and other public services as deemed necessary by the Plan Commission.
3. All dwelling sites shall have direct access onto paved streets.
4. Each mobile home or unit shall be considered a separate residence for all purposes such as taxing, assessing of improvements, garbage pickup and public utilities.
5. No more than one mobile home shall be placed on a dwelling site.
6. All mobile homes shall be required to obtain an improvement location permit and a building permit as a single-family dwelling. See Article Eight.

**B. Construction Standards** - All mobile homes shall be tied down and have a permanent perimeter enclosure.

**6.26 – Recreational Vehicles - OS-01** - This Outdoor Storage section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>							

The following outdoor storage standards apply:

**A. Storage or Parking** - The storage or parking of recreational vehicles is subject to the following requirements:

1. No more than two recreational vehicles shall be stored or parked outdoors on a residential lot at any one time.
2. The wheels shall not be removed except for repairs.
3. The vehicle shall be stored or parked behind or alongside the primary building in such a manner that no part of any such vehicle shall project beyond the front or side setback lines of the lot.
4. The vehicle shall not be parked on the street in front of any lot.
5. At no time shall parked or stored vehicles be occupied or used for living, sleeping, or housekeeping purposes.

**6.27 – Dumpster Enclosures - OS-02** - This Outdoor Storage section applies to the following districts:

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<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR			GB	HI	LI	NB		INS	REC

The following outdoor storage standards apply:

**A. Enclosures:**

1. Dumpsters, compactors and similar containers shall be screened on all sides by a fence or wall.
2. The height of the enclosure shall be six feet tall.

**6.28 – Enclosed Storage - OS-03** - This Outdoor Storage section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB					INS	

The following outdoor storage standards apply:

- A. Storage** - All storage of materials, including but not limited to junk, trash or automobile parts or pieces shall be located wholly within an enclosed primary or accessory structure.

**6.29 – Screened Storage - OS-04** - This Outdoor Storage section applies to the following district:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following outdoor storage standards apply:

- A. Storage** - All storage of materials, including but not limited to junk, trash or automobile parts or pieces shall be surrounded by an opaque fence a minimum of six feet in height or shall be located wholly within an enclosed primary or accessory structure.

**6.30 – Residential Parking Standards - PK-01** - This Parking Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following parking standards apply.

**A. Off-Street Parking Standards:**

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1. Off-street parking spaces may not fully or partially be in a public right-of-way or utility easement.
2. Each space shall be at least nine feet wide and 18 feet long.

**B. Dwelling Unit Parking:**

1. Two off-street parking spaces paved with asphalt or concrete are required per dwelling unit.
2. Required off-street parking spaces for dwelling units may include spaces within carports or garages.

**C. Visitor Parking:**

1. In multifamily housing developments, at least one space per two units is required for visitor parking and shall be spread evenly throughout the development.
2. Visitor parking spaces shall not include spaces in carports or garages.

**6.31 – Mobile Home Community Parking Standards - PK-02** - This Parking Standards section applies to the following district:

<i>Residential Zones</i>			<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC									

The following parking standards apply.

**A. Off-Street Parking Standards:**

1. Required parking spaces shall not be located within the minimum private street width requirement.
2. Off-street parking space may not fully or partially be in a public right-of-way or utility easement.
3. Each space shall be at least nine feet wide and eighteen 18 feet long.

**B. Dwelling Unit Parking:**

1. Two off-street parking spaces paved with asphalt or concrete are required per dwelling site.
2. Required parking spaces may include areas within carports and garages.

**C. Visitor Parking:**

1. One parking space per dwelling site is required for visitor parking and shall be spread throughout the development.
2. Visitor parking spaces shall not include spaces in carports or garages.

**6.32 – Business, Industrial & Institutional Parking Standards - PK-03** -This Parking Standards section applies to the following districts:

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<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI	NB		INS	

The following parking regulations apply:

### A. Off-Street Parking Standards:

1. All parking spaces shall utilize a paved surface of either concrete, asphalt, brick pavers, or the like. Gravel, stone, rock, dirt, sand or grass are not permitted for parking areas. All ingress/egress onto a driveway or into a parking area shall be paved.
2. Each space shall be a minimum of nine feet by 18 feet and be striped to show each parking space.
3. Parking spaces prescribed in this section shall be located either on the premises or on a lot approved by the Plan Commission. All required off-street parking spaces, however, shall be located within 600 feet of the subject lot.
4. Parking for the disabled shall be provided as follows:
  - a. Accessible spaces shall be provided as per the specifications of the Americans with Disabilities Act (ADA) and the Uniform Building Code (UBC).
  - b. Each accessible space shall be located adjacent to an access aisle and in close proximity to the entrance(s) most accessible for the disabled.
  - c. All accessible spaces shall be striped and have vertical signs.

### B. Parking Lot Standards:

1. Parking lots may project into the front yard setback by 50% of the minimum front yard setback. Parking lots may project into the side yard setback by 50% of the minimum side yard setback. Parking lots may project into the rear yard setback by 50% of the minimum rear yard setback. Entrance and exit drives may be located within the setback area.
2. Minimum parking aisle widths shall be as follows:
  - a. 90-degree angle space: 24 feet wide parking aisle for one or two-way traffic.
  - b. 60-degree angle space: 18 feet wide parking aisle for one-way traffic.
  - c. 45-degree angle space: 14 feet wide parking aisle for one-way traffic.
3. Parking areas shall be designed to prevent vehicles from maneuvering in the public right-of-way.
4. Parking areas shall be constructed to allow proper drainage.

**6.33 – Number of Off-Street Parking Spaces Required by Land Use - PK-04** - This Parking Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following parking regulations apply:

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## Article 6 – Development Standards



### A. Spaces Required:

1. Off-street parking shall be required for all uses. The minimum number of parking spaces is described in the right column for the land uses listed in the left column. The numbers below do not guarantee the quantity needed per use, only minimums are expressed. If a structure combines two or more uses, the parking requirement is figured by adding the minimum number of spaces required for all uses.
2. If a use is not clearly noted below, the Community Development Office may determine into which land use the proposed development best fits, therefore determining the minimum parking spaces required. The Community Development Office may also reference other industry parking standards to use as a guide for determining the appropriate number of parking spaces in the event a use is not listed.
3. Off-street parking spaces are not required for business uses in the Butler Historic District.

<b>LAND USE (Definitions)</b>	<b>MINIMUM NUMBER SPACES REQUIRED</b>
<b>Residential</b>	
<ul style="list-style-type: none"> <li>▪ Assisted living facility</li> <li>▪ Group home</li> <li>▪ Nursing home</li> <li>▪ Residential facility for the developmentally disabled</li> <li>▪ Residential facility for the mentally ill</li> <li>▪ Retirement community</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee on largest shift and one space four employees</li> </ul>
<ul style="list-style-type: none"> <li>▪ Bed &amp; Breakfast</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee on largest shift and one space per room</li> </ul>
<ul style="list-style-type: none"> <li>▪ Dwelling unit (upper floors)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 1.5 spaces per unit</li> </ul>
<b>Institutional</b>	
<ul style="list-style-type: none"> <li>▪ Child care institution/orphanage</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 8 persons of licensed capacity</li> </ul>
<ul style="list-style-type: none"> <li>▪ Church, temple or mosque</li> </ul>	<ul style="list-style-type: none"> <li>▪ Three spaces per 8 seats</li> </ul>
<ul style="list-style-type: none"> <li>▪ Community center</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 3 people at maximum occupancy</li> </ul>
<ul style="list-style-type: none"> <li>▪ Government office, library(public), museum</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 500 sq ft</li> </ul>
<ul style="list-style-type: none"> <li>▪ Government operation (non-office), police, fire or rescue</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee on largest shift</li> </ul>
<ul style="list-style-type: none"> <li>▪ Hospital</li> </ul>	<ul style="list-style-type: none"> <li>▪ Two spaces per bed</li> </ul>
<ul style="list-style-type: none"> <li>▪ Jail</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee on largest shift plus 1 space for 8 cells</li> </ul>
<ul style="list-style-type: none"> <li>▪ Park (public), pool (public)</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space for the first acre of land, plus 1 space for every additional 0.5 acres</li> </ul>
<ul style="list-style-type: none"> <li>▪ Post office</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee on largest shift plus 1 space for 200 sq ft accessible to the public</li> </ul>
<ul style="list-style-type: none"> <li>▪ Recycling collection point</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee and 1 space per 2 bins</li> </ul>
<ul style="list-style-type: none"> <li>▪ School (elementary)</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space for every 20 students of designed capacity plus one space per full time employee</li> </ul>
<ul style="list-style-type: none"> <li>▪ School (Junior or Senior High)</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space for every 10 students of designed capacity plus one space per full time employee</li> </ul>
<ul style="list-style-type: none"> <li>▪ School (university, college or trade school)</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per every 5 students of designed capacity</li> </ul>
<ul style="list-style-type: none"> <li>▪ Auditorium</li> </ul>	<ul style="list-style-type: none"> <li>▪ Must meet the school requirements for the type of facility plus one space for every 4 auditorium seats.</li> </ul>

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LAND USE <u>(Definitions)</u>	MINIMUM NUMBER SPACES REQUIRED
<b>Business – Auto Sales / Service</b>	
<ul style="list-style-type: none"> <li>▪ Automobile part sales</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 300 sq ft</li> </ul>
<ul style="list-style-type: none"> <li>▪ Automobile repair, automobile service station, automobile</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee plus 1 space per bay</li> </ul>
<ul style="list-style-type: none"> <li>▪ Automobile sales</li> </ul>	<ul style="list-style-type: none"> <li>▪ Two spaces plus 1 per employee</li> </ul>
<b>Business: Food Sales/Service</b>	
<ul style="list-style-type: none"> <li>▪ Bakery, coffee shop, delicatessen, ice cream shop, restaurant</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 3 seats, minimum 3 spaces</li> </ul>
<ul style="list-style-type: none"> <li>▪ Convenience store, farmers market, grocery store, meat</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 250 sq ft</li> </ul>
<b>Business: General Business</b>	
<ul style="list-style-type: none"> <li>▪ Boat sales, manufacturing housing sales</li> </ul>	<ul style="list-style-type: none"> <li>▪ Two spaces plus 1 per employee</li> </ul>
<ul style="list-style-type: none"> <li>▪ funeral home or mortuary</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 4 seats</li> </ul>
<ul style="list-style-type: none"> <li>▪ hotel/motel</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee plus 1 space per rentable room</li> </ul>
<ul style="list-style-type: none"> <li>▪ Kennel</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 5 pet accommodation spaces</li> </ul>
<ul style="list-style-type: none"> <li>▪ self-storage facility</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee plus 1 visitor per 10 employees plus one space per 10 units</li> </ul>
<ul style="list-style-type: none"> <li>▪ print shop/copy center, tool/equipment rental, tool/equipment</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 300 sq ft</li> </ul>
<b>Business: Office/Professional</b>	
<ul style="list-style-type: none"> <li>▪ bank/ATM, business/financial services office, construction</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 300 sq ft</li> </ul>
<ul style="list-style-type: none"> <li>▪ emergency medical clinic, medical/dental clinic, veterinarian clinic/hospital</li> </ul>	<ul style="list-style-type: none"> <li>▪ Four spaces per treatment room</li> </ul>
<ul style="list-style-type: none"> <li>▪ photography studio</li> </ul>	<ul style="list-style-type: none"> <li>▪ Three spaces per studio</li> </ul>
<b>Business: Personal Service</b>	
<ul style="list-style-type: none"> <li>▪ Barber/beauty shop, tanning salon, tattoo parlor/piercing parlor</li> </ul>	<ul style="list-style-type: none"> <li>▪ Two spaces per chair</li> </ul>
<ul style="list-style-type: none"> <li>▪ Day-care center, adult and child</li> </ul>	<ul style="list-style-type: none"> <li>▪ Adequate drop off area and one space per 10 persons of licensed capacity</li> </ul>
<ul style="list-style-type: none"> <li>▪ Dry-cleaning service/laundry, fitness center/health club</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 300 square feet</li> </ul>
<b>Business: Recreation</b>	
<ul style="list-style-type: none"> <li>▪ Dance/karate studio</li> </ul>	<ul style="list-style-type: none"> <li>▪ Five spaces plus one space per 500 sq ft over 500</li> </ul>
<ul style="list-style-type: none"> <li>▪ Amusement park, banquet hall, bar/tavern, billiard/arcade</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 3 people of maximum occupancy</li> </ul>
<ul style="list-style-type: none"> <li>▪ Bowling alley, driving range, golf course, miniature golf</li> </ul>	<ul style="list-style-type: none"> <li>▪ Thirty spaces per 9 holes and 1 space per driving range lane</li> </ul>
<ul style="list-style-type: none"> <li>▪ Movie theater</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 4 seats</li> </ul>
<ul style="list-style-type: none"> <li>▪ Nature preserve</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 3 acres</li> </ul>
<b>Business: Retail</b>	
<ul style="list-style-type: none"> <li>▪ All uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per 300 sq ft</li> </ul>
<b>Industrial</b>	
<ul style="list-style-type: none"> <li>▪ All uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee on largest shift plus one visitor space</li> </ul>
<b>Utility</b>	
<ul style="list-style-type: none"> <li>▪ All uses</li> </ul>	<ul style="list-style-type: none"> <li>▪ One space per employee / minimum of one space</li> </ul>

# City of Butler, Indiana Zoning Ordinance

## Article 6 – Development Standards



**6.34 – Performance Standards PF-01** - This Performance Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following performance standards apply:

- A. Air Pollution** - No use shall discharge across the lot lines fly ash, dust, smoke, vapors, noxious, toxic or corrosive matter, or other air pollutants in such concentration as to be detrimental to health, animals, vegetation or property, or conflict with public air quality standards.
- B. Electrical Disturbance** - No use shall cause electrical disturbance adversely affecting radio, television or other equipment in the vicinity.
- C. Fire Protection** - Firefighting equipment and prevention measures acceptable to the Fire Marshal shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.
- D. Heat and Glare** - No use shall produce heat or glare in such a manner as to be a nuisance or create a hazard perceptible from any point beyond the lot lines.
- E. Noise** - No use shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, beat, shrillness or vibration. Said noise shall be muffled or otherwise controlled so as not to become detrimental, provided, however, public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.
- F. Obnoxious Characteristics** - No use shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance. No use in existence on the effective date of this chapter shall be so altered or modified to conflict with these standards.
- G. Odor** - No use shall emit across the lot lines malodorous gas or matter in such quantity as to be detectable at any point along the lot lines.
- H. Vibration** - No use shall cause vibrations or concussions detectable beyond the lot lines without the aid of instruments.
- I. Water and Solid Waste Pollution:**
  - 1. No use shall produce erosion or pollutants in such quantity as to be detrimental to adjacent properties or conflict with public water quality standards.
  - 2. No authorization of a use under this Zoning Ordinance includes the authority to discharge liquid or solid wastes into public waters except as permitted by the City Superintendent and the Butler City Code.
  - 3. No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in conflict with applicable public health, safety and welfare standards and regulations.

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## Article 6 – Development Standards



**6.35 – Public Improvement Standards PI-01** - This public improvement standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following public improvement standards apply:

- A. Adequate Facilities** - Developments are permitted only if the public streets, drainage facilities, and utilities are adequate to serve the proposed development. Any public streets which will carry the increased traffic from the development shall be adequate to accommodate such traffic.
  - 1. Public utilities shall have sufficient capacity to serve the development.
  - 2. The Community Development Office and/or City Superintendent shall make a determination as to needed utility improvements.
  - 3. The Community Development Office and/or City Superintendent shall make a determination as to needed public street improvements.
  - 4. Drainage facilities shall have sufficient capacity to serve the development.
  - 5. The Community Development Office and/or City Superintendent with the assistance from the DeKalb County Surveyor shall make a determination as to needed drainage improvements.
  - 6. When public improvements are required, the developer or authorized representative is required to post performance and maintenance guarantees for such improvements.
  
- B. Exemptions** - The following utility structures are exempt from the provisions in this code:
  - 1. Utility poles
  - 2. Pipes
  - 3. Mains
  - 4. Lines
  - 5. Junction boxes
  - 6. Valves
  - 7. Hydrants
  - 8. Lift station
  
- C. Utility Structures** - All utility structures not listed in Section B above, including but not limited to generation plants, substations, telephone exchange, radio/TV station and treatment plants are required to obtain an improvement location permit.

**6.36 – Sewer & Water Standards - SW-01** - This sewer and water standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following sewer and water standard applies:

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- A. **Applicability** - Municipal sewer and water hookup is required when it is noted as such on the two-page layout in Articles Two, Three and Four for each zoning district.

**6.37 – Sewer & Water Standards - SW-02** - This sewer and water standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
					HI				INS	

The following sewer and water standard applies:

- A. **Waiver** - An applicant may request a waiver from the requirement to connect to city water following the procedures and requirements of Title 5, Section 50 of the Butler City Code.

**6.38 – Sexually Oriented Business Standards SO-01** - This Sexually Oriented Business Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI				

The following sexually oriented business standards apply:

- A. **Accessory Sexually Oriented Retail Business** - Any business with at least 10% but less than 25% of its stock in trade or of gross public floor area devoted to the sale, rental or display of sexually oriented materials shall abide by the following regulations.
  1. The business shall restrict access to any person under the age of 18 to either the entire business or to a separate room or section containing all of the sexually oriented materials.
  2. If restricting access to the entire business, then the business:
    - a. Shall not be open to any person under the age of 18.
    - b. Shall provide a sign at the entrance stipulating that persons under 18 are not permitted inside.
    - c. Shall have access controlled by electronic or other means to provide assurance that persons under age 18 will not easily gain admission or the general public will not accidentally enter such business; or provide continuous video or window surveillance of the business entrance(s) by store personnel.
    - d. Shall not display sexually oriented materials in windows or on exterior walls. Any existing windows shall be maintained as visually “neutral” in the store facade with non-explicit displays. Any sexually oriented material, on display within the store, shall be screened so they are not visible to persons looking at window displays.
  3. If restricting access to a separate room or section, then the room or section:



- a. Shall not be open to any person under the age of 18.
  - b. Shall have a sign at the entrance stipulating that persons under 18 are not permitted inside.
  - c. Shall be physically and visually separated from the remainder of the business by an opaque wall of durable material, reaching at least eight feet high or to the ceiling, whichever is less.
  - d. Shall be located so that the entrance to it is as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children.
  - e. Shall have access controlled by electronic or other means to provide assurance that persons under age 18 will easily not gain admission, or the general public will not accidentally enter such room or section; or provide continuous video or window surveillance of the room by store personnel.
  - f. Shall not display sexually oriented materials in any business windows or exterior walls. Any existing windows shall be maintained as visually “neutral” in the store facade with non-explicit displays. Any sexually oriented material, on display within the room or section, shall be screened so they are not visible to persons outside the room or section.
- B. Sexually Oriented Retail Business** - Any business with 25% or more of stock in trade or gross public floor area devoted to the sale, rental or display of sexually oriented materials shall abide by the following regulations.
1. The business shall not locate within 1000 feet radius of a residential zoning district: SFR, MFR, OTR or MHC. The distance is measured from the nearest property line to nearest property line in all directions.
  2. The business shall not located within 1000 feet radius of a school, property owned by a school, public park, church, temple, mosque, day-care center, public library or community center.
  3. The business shall not be located within 500 feet from a sexually oriented entertainment business or other sexually oriented retail business. The distance is measured from the nearest property line to the nearest property line in all directions.
  4. The business shall not locate within 300 feet of the right-of-way of any state or federal highway as measured from the nearest property line of the business.
  5. The business shall not be open to any person under the age of 18.
  6. The business shall not display sexually oriented materials in windows. Any existing windows shall be maintained as visually “neutral” in the store facade with non-explicit displays.
  7. The business shall not offer on-site entertainment.
- C. Sexually Oriented Entertainment Business** - A sexually oriented entertainment business shall abide by the following regulations.
1. The business shall not locate within 1000 feet radius of a residential zoning district: SFR, MFR, OTR or MHC. The distance is measured from the nearest property line to nearest property line in all directions.
  2. The business shall not located within 1000 feet radius of a school, property owned by a school, public park, church, temple, mosque, day-care center, public library or community center.

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3. The business shall not be located within 500 feet from a sexually oriented retail business or other sexually oriented entertainment business. The distance is measured from the nearest property line to the nearest property line in all directions.
4. The business shall not locate within 300 feet of the right-of-way of any state or federal highway as measured from the nearest property line of the business.
5. The business shall not be open to any person under the age of 18.
6. The business shall not display sexually oriented materials in windows or exterior walls. Any existing windows shall be maintained as visually “neutral” in the store facade with non-explicit displays.
7. The business shall offer entertainment only in rooms or spaces which each have a gross public floor area of at least 600 square feet, excluding restrooms, hallways and entryways. Such rooms or spaces shall not be subdivided by temporary or permanent walls or dividers.
8. Shall not sell, rent or display sexually oriented materials.

**6.39 – General Sign Standards - SI-01** – This Sign Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
<b>MHC</b>	<b>MFR</b>	<b>OTR</b>	<b>SFR</b>	<b>GB</b>	<b>HI</b>	<b>LI</b>	<b>NB</b>	<b>AG</b>	<b>INS</b>	<b>REC</b>

The following sign standards apply:

- A. Permit Required** - Except as otherwise provided herein, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign without first obtaining an improvement location permit from the Community Development Office.
- B. Abandoned Signs** - A sign, all mounting equipment, and related components shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the owner or lessee fails to remove the sign, the Community Development Office shall give the owner 30 days written notice to remove it. Upon failure to comply with this notice, the Community Development Office may remove the sign. Any cost associated with signs removed by the Community Development Office shall be reimbursed by the owner of said sign. Should said sign not be redeemed within 45 days of its removal, it may be disposed of in any manner deemed appropriate by the City.
- C. Illuminated Signs** - All illuminated signs shall comply with the following standards:
  1. All illuminating elements shall be kept in satisfactory working condition and immediately repaired or replaced if damaged or burned out.
  2. All electrical wiring for permanent signs shall be in conduit and shall meet or exceed all applicable electrical codes.
  3. The direct or reflected light shall not create a traffic hazard to operators of motor vehicles on public and/ or private roadways.
  4. The light from any illuminated sign shall be shaded, shielded, or directed such that the light intensity or brightness will not be objectionable to the surrounding properties. No light shall shine directly onto an adjacent property.

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## Article 6 – Development Standards



### D. Placement of Signs:

1. All signs shall meet a minimum front yard setback of ten feet.
2. All signs shall meet the vision clearance standards, see Section 6.49.

### E. Exempt Signs - The following items are allowed and are exempt from the sign provisions of this Ordinance.

1. Flags of any country, state, unit of government, institution of higher learning, or similar institutional flags.
2. Corporate flags with a business name or logo. No commercial messages are permitted
3. Names of buildings, date of erection, dedication plaques, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or denoted on a commemorative plaque made of bronze, brass, or other permanent material and made an integral part of the structure. No commercial messages are permitted.
4. Signs of a noncommercial nature and in the public interest erected by an officer of the City, including signs to promote safety, no trespassing, traffic signs, memorial plaques, historical interest signs, and signs directing people to public and quasi-public facilities.
5. Utility signs used to mark cables, pipes and lines for public and private utilities except if determined to be a hazard by the Community Development Department. If determined a hazard, an alternate means to mark the utility shall be agreed upon by both parties.

### F. Prohibited Signs - The following types of signs are expressly prohibited in all zoning districts.

1. Signs that utilize any motion picture, laser, or visual projection of images or copy.
2. Signs that emit audible sound, odor or visible matter.
3. Signs that purport to be, are imitations of, or resemble an official traffic sign or signal.
4. Signs which bear the words “stop”, “slow”, “caution”, “danger”, “warning”, or similar words.
5. Lights that resemble an emergency or road equipment vehicle.
6. Streamers, pennants, and inflatable objects.
7. Signs in a right of way.
8. Off-premise signs.
9. Signs that hide or partially hide from view any traffic or roadway sign, signal or device.
10. Signs that extend above the roofline or parapet of a building by more than one foot.
11. Signs that have blinking, flashing, or fluttering lights, including scrolling marquee signs.
12. Signs that have changing light intensity, brightness or color, or give such illusion.
13. Signs that obstruct any door, fire escape, stairway, or opening intended to provide entrance or exit for a building or structure.
14. Signs placed on vehicles parked on public or private property primarily for the purpose of displaying the sign. Prohibited signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries or random sales or service. Prohibited signs do not include vehicles which are customarily used for transporting persons or properties, and vehicles parked at a driver's place of residence during non-business hours or for incidental purposes.
15. Any sign that is not expressly permitted in this Zoning Ordinance.

### G. Noncommercial Message - Noncommercial messages are permitted on all permitted signs.

### H. Calculating Sign Area - When calculating the area of a sign, the entire structure is measured including but not limited to any base, extension or cap with or without lettering.

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## Article 6 – Development Standards



**6.40 - SI-02 - Residential and Agricultural District Signs** - This Sign Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR					AG		

The following sign standards apply:

**A. Temporary Signs:**

1. One temporary sign no larger than 12 square feet in size is allowed without a permit for the duration of a temporary event (i.e. garage sale, sale of the property, political campaign, construction project) per street frontage. A maximum of two signs are permitted. A grace period of one week is allowed for the removal of said sign.
2. This temporary sign shall be at least five feet from any property line.
3. This temporary sign shall not exceed five feet in height.

**B. Permanent Signs:**

1. A permanent gateway sign, no larger than 40 square feet in size, is allowed when a single-family development includes 20 or more lots, a multifamily development includes 20 or more dwelling units or a mobile home community contains 20 or more dwelling sites.
2. With a home occupation permit, one non-illuminated sign, not exceeding two square feet, will be allowed on the primary structure. Off-premise signs and signs in the yard are prohibited.

**6.41 - Business, Industrial and Institutional District Signs - SI-03** - This Sign Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI	NB		INS	REC

The following sign standards apply:

**A. Temporary Signs:**

1. One temporary sign no larger than 32 square feet in size is allowed without a permit for the duration of a temporary event (i.e. sale of the property, construction project, etc.) per street frontage. A maximum of two signs are permitted. A grace period of one week is allowed for the removal of said sign.
2. This temporary sign shall be at least ten feet from the property line and five feet from the edge of any paved surface.

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### B. Permanent Signs:

1. The following signs shall be permitted for a structure on a lot:
  - a. One wall sign per tenant space with a maximum size of 10% of the area of the building facade or 200 square feet, whichever is less.
  - b. One ground sign or one pole sign per street frontage meeting the following standards is permitted per lot:
    - i. For developments over three acres, one ground sign up to 60 square feet in size per side not to exceed four feet in height.
    - ii. For developments with three acres or less, one ground sign up to 24 square feet in size per side not to exceed three feet in height.
    - iii. One pole sign up to 100 square feet in size per side not to exceed 25 feet in height.
  
2. Directional signs are permitted on a lot as follows:
  - a. Directional signs shall only contain language and icons to guide pedestrians or motor vehicles into, out of, or around a development.
  - b. Any single directional sign shall not exceed four square feet in area and four feet in height.
  - c. No more than two directional signs shall be used per curb cut onto a public street.

**6.42 – Special Exception Standards SE-01** - This Special Exception Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following special exception standards apply:

### A. Development Standards:

1. The development standards assigned to each zoning district are considered appropriate for the permitted uses within that district. However, the development standards may not be appropriate for all special exception uses within a zoning district. For instance, some institutional uses are allowed in residential districts as special exceptions. In this case, residential development standards would not necessarily be applicable.
2. If the special exception use is a permitted use within another district, the development standards for that district shall be used as a guideline. If the land use is permitted in more than one district, the lesser restrictive of the two shall be used.
3. If the special exception use is not a permitted use in another district, the Board of Zoning Appeals shall determine which development standard sections within Article Six shall apply to the special exception application. The most stringent development standards may be assigned by the Board of Zoning Appeals as appropriate. The development standards determined to apply shall be documented in the application and approval.

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## Article 6 – Development Standards



- B. Process** - The approval process and criteria for special exceptions is in Article Eight of this Zoning Ordinance.

**6.43 – Structure Standards - ST-01** - This Structure Standards section applies to the following districts -

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB		INS	REC

The following structure standards apply:

- A. Maximum Primary Structures** - Shall be per each two-page layout in Articles Two, Three and Four.
- B. Placement** - No primary or accessory structures shall be placed or encroach into the City’s right-of-way.

**6.44 - ST-02** - This Structure Standards section applies to the following district:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
								AG		

The following structure standards apply:

- A. Maximum Primary Structures** - Shall be per each two-page layout in Article Four.
- B. Exemptions** - All agricultural structures except a primary residence are exempt from the maximum structures standards.
- C. Placement** - No primary or accessory structures shall be placed or encroach into the City’s right-of-way.

**6.45 – Telecommunications Facility Standards - TC-01** - This Telecommunication Facility Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI			INS	

All telecommunications facility require an improvement location permit as outlined in Article Eight and shall meet the requirements detailed in this section.

- A. Placement** - The location of the tower and equipment buildings shall comply with all local, state and federal natural resource protection standards.

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1. All telecommunications towers shall be set back from any property line a distance equal to at least 50% of the height of the tower.
2. Telecommunications towers are not permitted in front yards, except where evidence provided by the applicant demonstrates that placement in a front yard would provide the best camouflage for the tower.
3. The maximum height for a tower shall be 199 feet. The maximum height for an accessory structure shall be 15 feet. Towers 200 feet or greater shall also follow Indiana Code 8-21-10 Tall Structures standards.
4. A tower may not be placed closer to any residential structure than 500 feet.
5. All telecommunications towers shall be a monopole design.

**B. Buffer Requirements** - The following buffer planting shall be located around the perimeter of a telecommunications facility:

1. A six foot high chain link fence with an evergreen screen consisting of a hedge, planted three feet on center, or a row of evergreen trees planted a maximum of ten feet on center shall be planted around the entire telecommunication facility; or
2. A six foot high wood fence or brick wall with a row of evergreen trees planted a maximum of 20 feet on center shall completely surround the entire telecommunications facility, excluding the guy wires.
3. Existing trees and shrubs shall be preserved to the maximum extent possible on the entire site.

**C. Access to Site** - Telecommunications towers and antennas shall meet the following access requirements:

1. Vehicular access to the tower and equipment building shall be provided along any existing driveways, whenever feasible.
2. The wireless telecommunications facility shall be fully automated and unattended on a daily basis, and may be visited only for periodic maintenance, emergencies, installations or equipment removal.

**D. Design Requirements** - Proposed telecommunications towers and antennas shall meet the following design requirements:

1. Telecommunications towers and antennas shall be designed to blend into the surrounding environment through the use of color, camouflaging and architectural treatment, except in an instance where the color is dictated by federal or state authorities such as the Federal Aviation Administration.
2. The entire facility shall be aesthetically and architecturally compatible with its environment. The use of materials compatible with the surrounding environment is required for associated support structures, which shall be designed to architecturally match the neighborhood or area.
3. Only lighting that is for safety or security reasons, or required by the Federal Aviation Administration or other federal or state authority is permitted. All required lighting shall be oriented inward so as not to project onto adjacent properties.



### **E. Co-Location Requirements:**

1. Any proposed telecommunication tower shall be designed, and engineered structurally, electrically and in all other respects, to accommodate both the proposed user plus a minimum of three additional users.
2. The site of the initial telecommunications tower and telecommunication facility shall be of sufficient area to allow for the location of one additional telecommunications tower and associated telecommunications facility.
3. Telecommunication towers shall be designed to allow for future rearrangement of equipment and antennas upon the tower and to accept equipment and antennas mounted at varying heights.

### **F. Construction Requirements - All antennas, telecommunications towers, accessory structures and any other wiring constructed within the Butler Plan Commission jurisdiction shall comply with the following requirements:**

1. All telecommunications towers and equipment shall meet all applicable provisions of this ordinance, the Uniform Building Code, the Federal Communications Commission regulations, the National Electrical Code., Occupational Safety and Health Administration regulations and the American National Standards Institute manual, when applicable.
2. With the exception of necessary electric and telephone service and connection lines, no part of the telecommunications tower, equipment lines, cables, wires or braces in connection with either shall at any time extend across or over any part of a right-of-way, public street, highway, sidewalk, trail or property line without appropriate approval in writing.
3. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower and other cellular communications equipment, or between towers, shall be at least ten feet above the ground at all points, unless buried underground.
4. An engineer's certification shall be submitted for all telecommunications towers and equipment to document and verify the design specifications, including, but not limited to, the foundation for all towers, anchors for all guy wires (if used), the location of all co-location sites, strength requirements to withstand natural forces such as ice, wind, earth movements, etc.
5. All telecommunications towers and equipment shall be designed and constructed, at a minimum, to withstand wind gusts of at least 80 miles per hour with one-half inch of ice and to accommodate all co-location sites.

### **G. Existing Structures - The following shall apply to existing antennas, telecommunications towers and equipment:**

1. They may continue in use for the purpose now used and as now existing, but may not be replaced or significantly altered without complying in all respects to the requirements in the Zoning Ordinance.
2. All requests to install any cellular communications equipment on an existing approved or "grandfathered" tower, building or structure shall be submitted to the Community Development Office for approval. All such requests will require an improvement location permit and a copy of the contract between the applicant and the owner of the existing tower, building or structure.

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**H. Inspection of Towers** - The following shall apply to the inspection of telecommunications towers:

1. All towers may be inspected at least once every year, or more often as needed by the Community Development Office, the City Superintendent, and/or a qualified and licensed consulting engineer to determine compliance with the original construction standards. Deviation from original construction for which a permit was obtained constitutes a violation of the Zoning Ordinance.
2. Notice of violations will be sent by registered mail to the owner and the owner will have 30 days from the date the notification is issued to make repairs. The owner is required to notify the Community Development Office that the repairs have been made, and as soon as possible thereafter, another inspection will be made and the owner notified of the results of same.

**I. Abandoned Towers** - Any tower unused or left abandoned for six months shall be removed by the tower owner at its expense. Should the telecommunications tower owner fail to remove the tower after 30 days from the date a notice of violation is issued, the City of Butler may remove the tower and bill the owner for the costs of removal and cleanup of the site.

**6.46 - TU-01** - This Temporary Use/Structure Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

The following temporary use or structure standards apply:

**A. Permit Required:**

1. All temporary uses require a Temporary Use Permit except a yard, garage, or sidewalk sale. See Section 8.7 Temporary Use Permit.
2. A temporary use permit may be granted only twice per year for an address and is nonrenewable.
3. Temporary uses shall be terminated and completely removed at the end of the permitted period.

**B. Operation Standards:**

1. Temporary uses shall not adversely impact the market value of surrounding properties.
2. Temporary uses shall not displace required parking for any existing use or block any existing drives.

**C. Permitted Temporary Uses:** The following temporary uses may be permitted by the Community Development Office.

1. Yard, garage or sidewalk sale are permitted for five days with the following conditions.
  - a. They are permitted a maximum of three times per year per site

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- b. All signs and nails shall be removed within one week of the sale.
- 2. Construction trailers are permitted on or adjacent to the construction site with the following conditions.
  - a. A temporary use permit is not required if the temporary use is located on a lot that has already obtained an Improvement Location Permit.
  - b. The temporary use is for the length of the construction activity.
  - c. All facilities shall be removed upon completion of construction.
  - d. The facilities shall not contain sleeping or cooking facilities.
- 3. Seasonal sale of farm produce is permitted for 120 days and all stands shall be removed when not in use.
- 4. Religious tent meetings are permitted for 15 days.

**6.47 - TU-02** - This Temporary Use/Structure Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
				GB	HI	LI	NB	AG	INS	REC

The following temporary use or structure standards apply:

- A. **Permitted Temporary Uses** - The following temporary use may be permitted by the Community Development Office.
  - 1. Model homes are permitted on the site of the development for which the sales are taking place for the initial marketing period.

**6.48 - TU-03** - This Temporary Use/Structure Standards section applies to the following districts:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR							

The following temporary use or structure standards apply:

- A. **Permitted Temporary Uses** - The following temporary uses may be permitted by the Community Development Office.
  - 1. Retail or wholesale activities are permitted for 15 days.
  - 2. Seasonal items sale are permitted such as Christmas trees, Halloween pumpkins and 4th of July fireworks sales with the following conditions.
    - a. Seasonal items sales are permitted and considered separate uses for each season.
    - b. The permit is for 30 days and all unsold merchandise shall be removed within five days after the holiday.
    - c. The lot shall front on a collector or arterial street.

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- Carnival or traveling circus are permitted for 15 days.

**6.49 - VC-01** - This Vision Clearance Standards section applies to the following districts:

The following vision clearance standards apply:

<i>Residential Zones</i>				<i>Business &amp; Industry Zones</i>				<i>Specialty Zones</i>		
MHC	MFR	OTR	SFR	GB	HI	LI	NB	AG	INS	REC

- Purpose** - To maintain a clear area at every intersection.
- Construction Standards** - The triangle leg lengths shall be 15 feet (see “A” and “B” below in the illustration).
- Placement** - No primary or accessory structures, landscaping, fences, walls or signs are allowed to be placed or to project into the vision clearance triangle except as noted below.
  - Ground cover, annuals, perennials, and similar vegetation may be planted within the vision clearance triangle when the plants do not exceed 18 inches in height.
  - Trees may be planted in the vision clearance triangle when their lowest limbs and canopy are at least five feet from the ground, allowing drivers to see through the triangle. No two trees may be placed within 20 feet of one another.

