CITY OF CARMEL ZONING ORDINANCE
CHAPTER 23F: CARMEL DRIVE – RANGE LINE ROAD OVERLAY ZONE

23F.00 Carmel Drive – Range Line Road Overlay Zone

23F.00.01 Purpose, Intent and Authority. 1 The purpose of this overlay zone is to protect and enhance the health, safety and welfare of the citizens and property owners of Carmel by allowing for the establishment of an uptown business district that will support a range of activities and opportunities to all segments of the community; with mixed-uses in multi-story buildings; is pedestrian oriented and supportive of multiple modes of transportation; with buildings and a streetscape which are attractive and safely designed in order to enhance the livability of the city.

It is the City’s intent to achieve the purpose of this zone by:

• Providing a consistent urban design treatment for private and public properties in central Carmel;
• Providing additional opportunities for investment and reinvestment in real estate by encouraging higher intensity of development;
• Minimize community infrastructure costs thru the more efficient use of land;
• Providing controls for architecture and landscape design to establish continuity of design between projects and to improve the physical relationship between new buildings and overall community.

Further, it is the intent of this overlay zone to provide a temporary regulation, that will support the ongoing redevelopment of Carmel City Center, and Old Town, and the Arts & Design District, acting as a transition regulation until a specific plan for Carmel’s central business district (CBD) is adopted, and which plan will serve as the basis for CBD Zone regulations.

This district is superimposed over the other primary zoning districts and its regulations shall supersede those of the primary zoning districts over which it is superimposed. In establishing this zone, the Plan Commission and Council relies on I.C. 36-7-4-1400 et seq.

1 Section 23F.00.01 amended per Ordinance No. Z-576-13.
23F.00.99 Application Procedure.


23F.01 District Boundaries. The boundaries of the Carmel Drive - Range Line Road Corridor Overlay Zone (the Zone) are hereby established as approved on the Zoning Map.

23F.01.01 Parcels in the C-1/City Center and C-2/Old Town Districts shall be exempt from the requirements of the Zone.

23F.02 Plan Commission Approval. 2

23F.02.01 The Plan Commission must approve, approve with conditions, or disapprove the Development Plan (DP) and Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) for any tract of land in the Carmel Drive – Range Line Road Corridor Overlay Zone as required in Sections 23F.02.02 and 23F.02.03.

23F.02.02 Development Plan. A public hearing shall be held by the Commission before it decides whether to approve or disapprove a DP. A DP shall be required for additions to existing structures which exceed the following:

A. Fifty percent (50%) of the original gross floor area of the existing structure, applicable from the date of this ordinance.

23F.02.03 Architectural Design, Exterior Lighting, Landscaping and Signage. The Commission shall review and approve or approve with conditions the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS), access to property, site layout, parking and site circulation, consistent with the provisions set forth in Section 23F.08 through Section 23F.16, Section 24.03 and such approvals shall be necessary prior to:

A. The establishment of any use of land;

B. The issuance of any Improvement Location Permit, except maintenance and/or repairs consistent with previously approved ADLS. In cases where properties were developed prior to ADLS requirement, maintenance and/or repairs shall be consistent with the previously approved Improvement Location Permit;

C. Any change in site improvements which are not consistent with previously approved ADLS. In cases where properties were developed prior to ADLS requirement, changes in site improvements shall be consistent with the previously approved Improvement Location Permit.


23F.02.04 Zoning Waiver. The Commission may, after a public hearing, grant a Zoning Waiver of the dimensional and quantitative standards of this Chapter, by not greater than thirty-five percent (35%). Any approval to permit such a waiver shall be subject to the following criteria:

A. The proposal shall enhance the overall Development Plan and the adjoining streetscapes and neighborhoods.

B. The proposal shall not produce a Site Plan or street/circulation system that would be impractical or detract from the appearance of the Development Plan or the District, and shall not adversely affect emergency vehicle access.

C. The proposal shall exhibit extraordinary site design characteristics, including, but not limited to: Increased landscape treatment, tree preservation, provisions for bicycle and pedestrian traffic.

In granting a waiver, the Commission may impose such conditions that will, in its judgment, secure the purposes of this Chapter. This Section does not affect the right of the applicant under Indiana law to petition the Board for a variance from development standards provided under IC 36-7-4-918.5 and this Zoning Ordinance.

2 Section 23F.02 amended per Ordinance No. Z-561-12.
23F.03  Permitted Uses. 3 See Appendix A – Schedule of Uses.

  23F.03.01  All Uses which are permitted in the underlying primary zoning district(s), except those uses expressly prohibited by Section 23F.04, are permitted in the Zone.

  23F.03.02  In addition to those uses which are permitted in the underlying primary zoning district(s), residential uses are permitted in the Zone.

23F.04  Special Uses; Prohibited Uses. 4 See Appendix A – Schedule of Uses.

  23F.04.01  Special Uses.

  All Special Uses which are permitted (upon obtaining a Special Use approval from the Board) in the underlying zoning district(s), except those uses expressly excluded in this Section or in Appendix A: Schedule of Uses, are permitted in the Overlay Zone upon the approval of the Board. In addition, any Use existing at the time of the passage of this Chapter which does not conform to Section 23F.03: Permitted Uses but which otherwise does conform to the applicable Use provisions of the underlying zoning district(s), shall be deemed to be and shall be a Special Use under this Chapter. Such Uses shall not be considered legal nonconforming uses nor require Special Use approval for continuance but shall require Special Use approval for any alteration, enlargement or extension.

  23F.04.02  Prohibited Uses.

  A.  Automobile, Truck, Boat, Mobile Home, Manufactured Housing or RV Sales.
  B.  Sexually Oriented Businesses
  C.  All Industrial Uses in Appendix A
  D.  Drive-through facilities on parcels located adjacent to and abutting R-1, R-2 or R-3/Residence Districts, or a single- or two-family residence.

23F.04.03  Restoration after Destruction of Building.

  Nothing in this Chapter shall prevent the restoration of a building or structure destroyed one hundred percent (100%) or less of its square footage at the time of such destruction by explosion, fire, flood, earthquake, windstorm, act of God, riot or act of a public enemy, subsequent to the passage of this Chapter; or shall prevent the continuance of the use, except an illegal nonconforming use, of such building, structure or part thereof, as such use existed at the time of such impairment of such building, structure or part thereof. All such restoration and construction shall be subject to the obtaining of an Improvement Location Permit, with the fees waived for the restoration of a building or structure destroyed one hundred percent (100%) or less and restored according to its state of existence prior to destruction. All restorations resulting in a divergence from original plans shall be subject to obtaining an Improvement Location Permit and payment of fees and comply with Sections 23F.09 and 23F.10.

23F.05  Building Setbacks. 5

  23F.05.01  Build-to Line.

  A.  Minimum:  Zero (0) feet, subject to recorded utility easement(s).
  B.  Maximum:  Ten (10) feet, subject to recorded utility easement(s) and to subparagraph C below.
  C.  Up to seventy-percent (70%) of the front façade may be recessed for entrances and outdoor seating; however, no entrance shall be recessed more than ten (10) feet, and no outdoor seating area shall be recessed more than twenty (20) feet, subject to Commission approval.

  23F.05.02  Side and Rear Setbacks. There are no minimum side or rear setbacks; however, no accessory buildings or other permanent improvement shall encroach into required landscape planting or Perimeter Bufferyard areas.

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3 Section 23F.03 amended per Ordinance No. Z-562-12.
4 Section 23F.04 amended per Ordinance No. Z-586-14.
5 Section 23F.05 amended per Ordinance No. Z-586-14; Z-609-16.
23F.05.03  **Conflicting Requirements.** Wherever there exists a conflict between the requirements of the Carmel Drive – Range Line Road Overlay Zone, and either the US Highway 31 Corridor Overlay Zone or State Highway 431/Keystone Avenue Corridor Overlay Zone, the Carmel Drive – Range Line Road Overlay Zone shall govern.

23F.06  **Building Orientation and Access.**

23F.06.01  Every parcel with frontage on Carmel Drive and/or Range Line Road must have a building that fronts on those streets.

23F.06.02  Every parcel with frontage on Carmel Drive and/or Range Line Road must have a building that occupies a minimum of 70% of that frontage. Exceptions include:

A. Buildings on lots with 120 feet or less of frontage provided they occupy the maximum amount of frontage, except for driveways, sidewalks and landscape areas, as required by the Ordinance.

B. Frontages along public streets other than Carmel Drive or Range Line Road have no minimum frontage requirement.

23F.06.03  Additional buildings may be built in the rear of the property.

23F.06.04  All Principal Buildings shall face a public street, with a primary entrance from a public street.

23F.06.05  The primary entrance must be readily apparent as a prominent architectural feature and visible from the street.

23F.06.06  Principal Buildings must provide a separate, architecturally significant entrance to upper floor uses, when those uses are separate and distinct from that of first floor.

23F.07  **Building Height.** See also Figure 1.

23F.07.01  Principal Buildings must have at least two floors of leasable, occupiable space.

A. The second and higher floors must be at least fifty percent (50%) the size of the building footprint and must be oriented to the front of the building such that the second floor façade aligns with the first floor.

B. Exceptions to first floor/upper façade alignment are allowed for upper floor patio spaces requiring offset from the first floor façade.

23F.07.02  Minimum Height: Twenty-six (26) feet.

23F.07.03  Maximum Height: Fifty-five (55) feet, or five (5) stories, whichever is greater.

23F.07.04  Maximum Height shall be reduced to three (3) stories, or thirty-eight (38) feet for Principal Buildings located adjacent to and abutting R-1, R-2 or R-3/Residence Districts, or a single- or two-family residence.

23F.08  **Building Footprint.**

23F.08.01  Minimum: 0.5 Floor Area Ratio (FAR).

23F.08.02  Maximum: 40,000 square feet footprint.

23F.09  **Construction Materials.**

23F.09.01  Principal Buildings must be faced on front and sides with brick, stone or similarly detailed precast concrete and trimmed in metal, stone, precast concrete, wood, fiber cement or EIFS.

23F.09.02  Rear building façade materials may vary, however, its material colors and composition must be coordinated with the front and side façades.

23F.09.03  Use of EIFS and fiber cement products shall be limited to upper floor trim or accent material only.

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6 Section 23F.06 amended per Ordinance No. Z-562-12; Z-609-16.
7 Section 23F.07 amended per Ordinance No. Z-576-13; Z-586-14; Z-609-16.
8 Section 23F.08 amended per Ordinance No. Z-562-12; Z-609-16.
9 Section 23F.09 amended per Ordinance No. Z-609-16.
23F.10  **Architectural Design.** Buildings in the Zone must include the following characteristics:

23F.10.01  Ground and upper floors with transparent glass; ground floor elevations must incorporate the transparent glass as a significant component.

23F.10.02  A distinct cornice line at the top of flat roofed buildings and intermediate horizontal elements, such as a trim at the top of the ground floor are optional.

23F.10.03  The façade shall be provided relief by windows and surrounds, storefronts, doors, and features such as special brick coursing, pilasters and lintels.

23F.10.04  The first floor and all other floors will have a coordinated composition, which will usually be indicated by the alignment of upper floor windows and other features with openings and features of the first floor.

23F.10.05  When applicable, retail storefronts shall be oriented along the public street front of the first floor of the building, except for pedestrian entrances to parking areas or entrance lobbies for upper floors.

23F.10.06  Every face of the building with frontage on a public street must have openings for windows which are clear glass that allow the interior space to be seen from the street.

23F.10.07  Large expanses of glass are allowed, but the building may not be constructed entirely of a metal and glass curtain wall.

23F.10.08  Fixed or retractable awnings are permitted if they complement a building's architectural style, material, colors, and details; do not conceal architectural features (such as cornices, columns, pilasters, or decorative details); do not impair façade composition; and are designed as an integral part of the façade.

23F.10.09  Rooftop mechanical and telecommunication equipment shall be fully screened on all sides using parapets, penthouse screens or other similar method and which are integrated into the overall building design and approved by the Commission.

23F.11  **Landscaping Requirements.** See Chapter 33: Commercial Development Landscape Ordinance.

23F.12  **Lighting.**

23F.12.01  Street lighting shall be provided as part of all projects, to be placed approximately one hundred (100) feet apart. The design shall be per the adopted City style.

23F.12.02  Exterior lighting of the building or site shall be designed so that light is not directed off the site and the light source is shielded from direct offsite viewing. For any use abutting single-family residential uses, illumination levels shall not exceed 0.5 foot candles at the property line.

23F.12.03  Exterior lighting shall be architecturally integrated with the building style, material and color. Rooftop lighting shall be prohibited.

23F.12.04  All exterior architectural, display, decorative and sign lighting shall be generated from concealed, low level fixtures.

23F.12.05  The maximum height of light standards in parking areas shall not exceed twenty-five (25) feet. When light standards abut or fall within ninety (90) feet of single family residential, their height shall not exceed fifteen (15) feet.

23F.13  **Signage.** Signage, where allowed, shall abide by Zoning Ordinance Chapter 25.07: Sign Ordinance.

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10 Section 23F.10 amended per Ordinance No. Z-586-14; Z-609-16.
12 Section 23F.12 amended per Ordinance No. Z-586-14; Z-609-16.
13 Section 23F.13 amended per Ordinance No. Z-486-06, §1; Z-561-12.
23F.14 Pedestrian Circulation. 14
23F.14.01 Sidewalks along Carmel Drive and Range Line Road shall be a minimum of twelve (12) feet in width. Sidewalks along all other public streets shall be a minimum of eight (8) feet in width.
23F.14.02 When parking is located behind the Principal Building, walkways shall be provided to allow safe access between rear parking areas and Principal building entrances. Unless otherwise noted in this ordinance, the minimum width for walkways shall be six (6) feet.
23F.14.03 Neither sidewalks nor walkways shall be used by automotive traffic.
23F.14.04 Pedestrian access shall be coordinated with and provided to adjoining properties.

23F.15 Parking. 15 See also Chapter 27: Additional Parking and Loading Regulations.
23F.15.01 The amount of parking spaces required shall be determined by Sections 27.01; 27.06 and 27.08; however, square footage on the second and higher floors will not be included in the automobile parking calculation.
23F.15.02 Parking areas shall be setback not less than six (6) feet behind the Front Line of Building.
23F.15.03 Parking areas shall be located at the rear or side of buildings, and screened consistent with the standards of Bufferyard Type ‘A’, as described in Section 33.05.
23F.15.04 Adjacent/adjoining parking lots shall be interconnected either by alley or internal driveway, and coordinated to accommodate pedestrian access.
23F.15.05 Paths within parking lots of more than three rows shall be designated to accommodate pedestrians safely from parking areas to sidewalks, walkways and/or building(s). Such paths may consist of striping.

23F.16 Product, Material & Refuse Storage.
23F.16.01 Material or product storage shall occur within the Principal building or an Accessory building.
23F.16.02 Any Accessory Building for storage shall:
   A. Be architecturally compatible with the Principal building and integrated into the overall site layout.
   B. Be approved by the Commission.
23F.16.03 Any Accessory Building for storage or disposal of refuse shall:
   A. Accommodate waste and recyclable materials, and, if applicable, grease or other cooking refuse.
   B. Be fully enclosed except for doors or gates which are kept closed unless loading or unloading.
   C. Be architecturally compatible with the Principal building and integrated into the overall site layout.
   D. Be approved by the Commission.

23F.17 Other Requirements.
All other requirements not mentioned in this Section shall remain as stated for that primary zoning classification district mapped.

14 Section 23F.14 amended per Ordinance No. Z-562-12; Z-576-13; Z-609-16.
15 Section 23F.15 amended per Ordinance No. Z-562-12; Z-586-14; Z-609-16.
Chapter 23F: Carmel Drive – Range Line Road Overlay Zone

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as adopted per Z-444-04; as amended per Z-486-06; Z-497-06; Z-513-07; Z-525-08; Z-537-09; Z-544-10; Z-551-11; Z-558-12; Z-561-12; Z-562-12; Z-576-13; Z-577-13; Z-586-14; Z-601-15; Z-609-16

Winter 2016 v1

Figure 1: Building Height Diagram

Revised: November 2015

Winter 2016 v1
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