

and restaurant uses may use large pane display windows; provided, however, such windows shall not exceed 75% of the total ground level (first floor) facade area. Buildings with multiple storefronts shall be of unified design, through the use of common building materials, architectural details, signs and lighting consistent with the overall building style. Each individual tenant shall have a primary entrance to the storefront from the exterior of the building.

(g) *Awnings, canopies.* In addition to the provisions of § 194.163 of this chapter, fixed or retractable awnings or canopies are permitted, provided- they complement the building's architectural style, building materials, colors and details; do not conceal architectural features (such as cornices, columns, pilasters or decorative details); do not impair facade composition; and are designed as an integral part of the facade. Metal, plastic or aluminum awnings are prohibited.

(2) See § 194.113.

(3) *Building orientation.* Rear building facades shall not face a public street. No loading spaces shall be permitted to face a street.

(Ord. 2000-16, passed 8-28-2000, § 2.22; Ord. 2016-04, passed 4-5-2016)

## **§ 194.062 URBAN VBD: URBAN VILLAGE BUSINESS.**

(A) *Intent.* The VBD (Village Business) District is composed of the downtown business center. The regulations are intended to:

(1) Be compatible with, and strengthen the existing character of, the historic downtown and its unique Main Street area; and

(2) Promote a concentrated business area which maximizes the use of properties, encourages pedestrian activity and discourages interruptions in the continuity of business frontages.

(B) *Permitted uses.*

(1) *Primary uses drive.* Through service units shall not be permitted for any uses noted below:

(a) Automotive: automobile sales, minor;

(b) Retail food sales and service:

1. Bakery;
2. Neighborhood market (no gasoline sales);
3. Dairy bar/ice cream store/yogurt store (retail sales);
4. Delicatessen;
5. Farmers market;
6. Grocery;
7. Meat market; and
8. Restaurant.

(c) Residential: dwelling units (upper level);

(d) Clothing service:

1. Costume rental;
2. Dressmaking;
3. Dry cleaning and laundry establishment;
4. Millinery shop (fabric shop);
5. Shoe repair shop; and
6. Tailor and pressing shop.

(e) Retail:

1. Antique shop;
2. Apparel shop;
3. Appliance store;
4. Art gallery;
5. Art and craft store;
6. Bicycle sales;
7. Camera store;
8. Card shop;
9. Clock shop;
10. Coin and stamp shop;
11. Computer store;
12. Department store;
13. Drug store;
14. Fabric store;
15. Flower shop;
16. Floor coverings;
17. Frame shop;
18. Furniture store;
19. Gift shop;
20. Hardware store;
21. Hobby, toy or game shop;
22. Home improvement store;
23. Jewelry store;
24. Music shop;
25. News dealer;
26. Paint/wall cover store;
27. Pet store;
28. Shoe store;
29. Supporting goods store;
30. Stationary and book store;
31. Tobacco store;
32. Variety store; and
33. Video tape rental or sales.

(f) Office/professional services:

1. Architect;

2. Artist;
3. Bank machines/automated teller machines (ATMs) (freestanding units not permitted);
4. Bank/savings and loan/ credit union;
5. Consultant;
6. Dentist or physician;
7. Design services;
8. Engineer;
9. Insurance agent;
10. Lawyer;
11. Musician;
12. Pharmacist;
13. Photographic studio;
14. Professional offices;
15. Real estate office;
16. Service organization office; and
17. Travel agency.

(g) Personal service:

1. Barbershop;
2. Beauty shop;
3. Locksmith; and
4. Tanning salon.

(2) *Special exception uses.*

(a) Government use:

1. Governmental offices; and
2. Post office (without storage of delivery vehicles).

(b) Recreation:

1. Dancing, aerobics, gymnastics studio;
2. Lodge or fraternal organization; and
3. Social hall.

(c) Public facilities:

1. Community center;
2. Museum;
3. Park;
4. Parking garage;
5. Commercial parking lot (surface); and
6. Religious use.

(d) Miscellaneous:

1. Print shop;
2. Drive-through service unit;
3. Outdoor seating for restaurants, subject to the provisions of division (C)(14) below; and
4. Outdoor display of merchandise, subject to the provisions of division (C)(14) below.

(e) Retail:

1. Garden supply; and
2. Pet shop.

(f) Personal service:

1. Bed and breakfast; and
2. Health spa or fitness center.

(g) Liquor sales and service:

1. Liquor store; and
2. Tavern/bar.

(3) *Accessory uses.* See § 194.095 of this chapter.

(4) *Temporary uses.* See § 194.096 of this chapter.

(C) *Development standards.*

(1) *Water and sanitary system requirements.* Attachment to public water and sanitary sewer facilities shall be mandatory for development in this district.

(2) *Minimum lot width and frontage.* Each lot shall have a minimum lot width and frontage on a public street of 40 feet and gain access from said public street or abutting alley.

(3) *Maximum lot coverage.* 100% of the lot area.

(4) *Maximum gross floor area.* No single use, whether freestanding or contained in an integrated center, shall exceed 5,000 square feet of floor area on the ground floor.

(5) *Integrated center floor area.* No integrated center shall exceed 15,000 square feet of floor area on the ground floor.

(6) *Yards and setbacks.*

(a) *Minimum.* Minimum front yard for any building or structure (except surface parking) shall be zero feet.

(b) *Exceptions.*

1. In any block face in this district in which an existing front yard setback of greater than zero feet is established by existing, legally established buildings or structures on more than 50% of the total number of lots within the same block face fronting on the same public street, the required front yard setback for any new building, structure or addition along such block face shall be the average of such established front yards. In the case of a new building or structure, the lot on which the building or structure is to be erected shall not be included in the calculation of the average of the established front yards for the block face.

2. Minimum front yards required for surface parking lots.

(c) *Primary use.* Depth of yard: six feet, measured from and paralleling the right-of-way. Except where interrupted by a driveway, all minimum front yards shall be free from buildings or structures, landscaped with grass or other suitable ground cover materials and shall include the following: landscaping: one deciduous shade tree, ornamental tree or evergreen tree planted for every 30 feet of frontage along the required front yard. The minimum size of trees to be planted shall be as required in Table 12(C).

(d) *Accessory use.* Parking lots shall not be permitted between a front building line and a front lot line.

(7) *Awnings and canopies.*

(a) Awnings and canopies may encroach over the sidewalk onto public right-of-way; provided:

1. When the width of all awning along the direction of a particular building facade is ten feet or less, the horizontal projection of such awnings shall not exceed six feet from the facade of any supporting building. (See Figure 3, Diagram 1.) The vertical distance from the top to the bottom of such awnings shall not exceed six feet, including any valance. (See Figure 3, Diagram 1.);

2. When the width of all awnings along the direction of a particular building facade exceed ten feet, the horizontal projection of such awnings shall not exceed four feet from the facade of any supporting building. (See Figure 3, Diagram 1.) The vertical distance from the top to the bottom of such awnings shall not exceed four feet, including any valance. (See Figure 3, Diagram 1.); and

3. The horizontal projection of any awning may extend to a point not closer than two feet from any street curb, pavement edge or edge of an interior access drive.

(b) Canopies.

1. The maximum width of any canopy shall be ten feet. (See Figure 4.)

2. The horizontal projection of any canopy may extend to a point not closer than two feet from any street curb, pavement edge or edge of an interior access drive. (See Figure 4.)

3. The outer column support shall be located in the outer one-third of the walk area. (See Figure 4.)

4. In no case shall the minimum distance between the entry and the column support be less than four feet.

5. The vertical distance from the top to the bottom of the canopy shall not exceed an average of four feet, including any valance. The highest point of the canopy shall not be higher than four feet above the door opening or 16 feet.

6. Canopies shall not be spaced closer than 20 feet from each other, measured from centerline to centerline. (See Figure 4.)

7. Minimum clearance, awnings and canopies height above finished grade: all portions of any awning or canopy, excluding the column supports for a canopy, shall be not less than nine feet above the finished grade. (See Figure 4.) An awning or canopy valance shall be not less than eight feet above the finished grade. (See also § 194.165 of this chapter.)

(8) *Minimum side and rear yard and setback.* From the lot line as follows measured from and paralleling the lot line, shall be provided along such side or rear lot line. Except where interrupted by a driveway, all minimum bufferyards shall be free from buildings or structures, landscaped with grass or other suitable ground cover materials in compliance with § 194.109 of this chapter:

(a) Minimum side yard: zero feet;

(b) Minimum side bufferyard: ten feet;

(c) Minimum rear yard: zero feet; and

(d) Minimum rear bufferyard: ten feet.

(9) *Building height.*

(a) Primary structure:

1. Minimum height: 22 feet; and

2. Maximum height: 35 feet and not over three stories. However, in no case shall the height of a primary structure exceed the average building height established by existing, legally established buildings or structures within the same block face fronting the same public street. In the case of a new building or structure, the lot on which the building or structure is to be erected shall not be included in the calculation of the average of the established buildings or structures for the block face.

(b) Accessory structure: 22 feet.

(c) In the Village Business District, maximum building height shall be the vertical distance measured from finished grade to the highest point of the building, including parapets, towers, chimneys or any other ancillary structure or embellishment.

(10) *Off-street parking.* The total number of off-street parking spaces required for any use the VBD District, calculated per the provisions of § 194.105 of this chapter, shall be reduced by 50%.

(11) *Off-street loading.* See § 194.105 of this chapter.

(12) *Signs.* See §§ 194.160 through 194.169 of this chapter.

(13) *Vision clearance areas.* The provisions of § 194.021 of this chapter shall not apply to the VBD District.

(14) *Outdoor operations.* Except for the following uses which may be conducted outdoors, all uses and operations in the VBD District shall be conducted completely within enclosed buildings:

(a) Off-street parking, off-street loading and delivery;

(b) Walk-up customer service windows or automated teller machines (ATMs); provided, they are not free standing and are set flush with the facade of the building;

(c) Trash container(s) exceeding 36 cubic feet shall:

1. Be completely screened on all four sides with a solid-walled or opaque fenced enclosure with gate not less than six feet, nor greater than eight feet in height above grade;

2. Be located behind the established front building line; and

3. Not be located within a required yard or bufferyard.

(d) Outdoor seating for restaurants or outdoor display of merchandise may be conducted only upon the grant of a special exception by the Board of Zoning Appeals, and subject to the following regulations:

1. Shall not reduce the effective sidewalk width measured from the back the curb to less than five feet;

2. Shall be located against the building facade;

3. Shall not block access points to the business or the building;

4. Shall be permitted only along the business tenant bay or storefront facade;

5. Shall be permitted only during the hours of operation of the business and shall be removed at the close of each business day; and

6. Shall require an encroachment permit from the Building Commissioner.

(D) *Development plan required.* All lots located in the VBD District shall be subject to the filing of a development plan for review and approval by the Plan Commission, as set forth in §§ 194.125 through 194.128 of this chapter. In review of a development plan, the Plan Commission shall base its review on compliance with the following requirements.

(1) *Architectural design requirements.*

(a) *Design theme.* Buildings shall be designed to incorporate the salient features of and be consistent with or complementary to the Zionsville theme, incorporating the architecture, design and overall aesthetic exterior character of a building consistent with the Georgian, Federal, Greek Revival or Victorian architectural styles.

(b) *Building materials.* In order to create variation and interest in the built environment, all new buildings or building additions shall use the exterior building materials specified below. In addition, the exterior building material selection shall be supplemented the use of multiple colors, textures (e.g., rough, smooth, striated and the like) or architectural elements (quions, pilasters, soldier courses, friezes, cornices, dentils and the like) on each facade. Two or three building materials (excluding glass in windows or doors and roofing material) shall be utilized for all facades visible from a street or alley. The primary building material shall be one of the four options noted in division (D)(1)(b)2. below and shall constitute a minimum of 60% of the available wall area (exclusive of window and doors) of each applicable facade.

1. Exposed foundations shall be constructed of one or more of the following:

a. Brick in a color historically consistent with the selected architectural style;

b. Stone (limestone, granite, fieldstone and the like); or

c. Architectural concrete, if surface looks like brick or stone.

2. Facade walls shall be constructed of any combination of:

- a. Stone;
- b. Wood clapboard siding;
- c. Brick in a color historically consistent with the selected architectural style; or
- d. Wood beaded siding.

(c) *Roofs.*

1. *Pitched roofs.* Roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 4:12 to 14:12. Pitched roofs shall be clad in wood shingles, slate and composition asphalt shingle or standing-seam metal panels. Shingle or panel color shall be appropriate to the design of the building.

2. *Shed roofs.* Shed roofs are permitted only when the ridge is attached to an exterior wall of a Building, with pitches ranging from 4:12 to 14:12.

3. *Flat roofs.*

a. Flat roofs are permitted when consistent with the selected style of architecture. if edged by a railing or parapet, and if rooftop mechanical equipment is either camouflaged on all sides or visually integrated into the overall design of the building.

b. In no case shall rooftop mechanical equipment be visible from adjoining R districts. All vents, attic ventilators, turbines, flues and other roof penetrations shall be painted to match the color of the roof, or painted flat black. Gutters and downspouts shall be appropriate to or visually integrated with the selected architectural style of the structure.

c. Dormers, belvederes, cupolas and pergolas may be utilized as a design element, so long as they are designed with the details, proportions, style and materials consistent with the selected architectural design of the building.

(d) *Entrances.* The main building or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.

(e) *Windows.* All window design shall be compatible with the style, materials, color, details and proportion of the building. The number of panes, the way the window opens, the trim around the window and whether the window is embellished with shutters shall be consistent with the selected architectural style of the building.

(f) *Storefronts.* Storefronts shall be integrally designed with the overall facade character. Ground floor retail, service and restaurant uses should generally have large pane display windows; however, they shall not exceed 75% of the total ground level (first floor) facade area. Buildings with multiple storefronts shall be of unified design, through the use of common building materials, architectural details, signs and lighting consistent with the overall building style. Each individual tenant shall have a primary entrance to the storefront from the public street.

(g) *Awnings, canopies.*

1. In addition to the provisions hereof, fixed or retractable awnings or canopies are permitted; provided, they complement the building's architectural style, building materials, colors and details; do not conceal architectural features (such as cornices, columns, pilasters or decorative details); do not impair facade composition; and are designed as an integral part of the facade.

2. Metal, plastic or aluminum awnings or canopies are prohibited.

(2) *Lighting requirements.* See § 194.113.

Figure 3: Awning Requirements

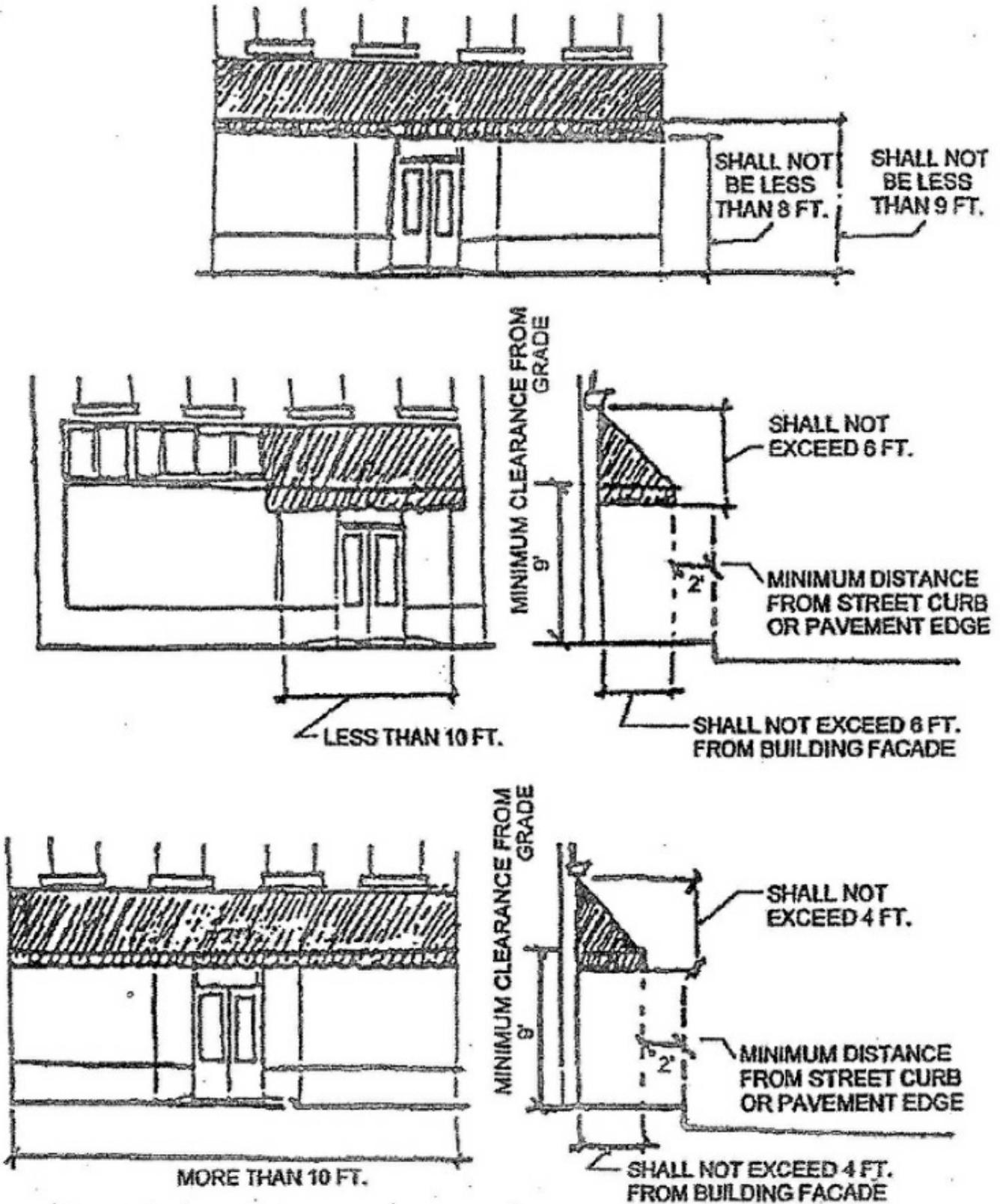


Figure 4: Canopy Requirements

