

CHAPTER 7: ZONING AND ACCESS MANAGEMENT REGULATIONS

INTRODUCTION

This chapter contains guidelines to assist communities along the US 50 Corridor in reviewing local zoning ordinances to ensure that they promote the type of development and transportation changes that are recommended in this plan.

To successfully implement the land use and transportation projects in this plan, all communities along US 50 must adopt zoning standards that reflect the recommendations of the *US 50 Gateway Study*. Consistency among communities is highly important with zoning implementation. Improving the image, safety and mobility of US 50 will be unsuccessful if gaps exist along the corridor.

LAND USE

Zoning Overlay District

An overlay district should be designed and placed over existing zoning in the US 50 corridor. In this sense, the overlay district would augment the underlying commercial zoning districts with provisions to implement this plan including design guidelines, land use requirements and access management standards.

Each jurisdiction could adopt their own version of the overlay district tailored to meet their unique conditions and needs. However, each community should share as much of the same overlay district language as possible to ensure the quality of development is consistent throughout the corridor.

Conventional Districts

As an alternative, entirely new conventional districts could be created along the US 50 corridor to replace existing zoning districts. This strategy could cause more disruption with existing uses and could reduce flexibility, but it should be considered nonetheless. The benefit of an entirely new district is that it could simplify development regulations by only including a single set of zoning regulations instead of a base district and an overlay district. Communities could also amend current districts to meet the land use and design guidelines.

Planned Development

Local jurisdictions are encouraged to amend the “Intent”, “Purpose”, and “Standards” sections of their Planned Unit Development (PUD) regulations to specifically establish redevelopment as an appropriate and legitimate use of the PUD zoning district. Conventional zoning is often rigid and cumbersome to work with. PUD’s offer increased flexibility in return for increased design creativity and a better project than could be accomplished otherwise. The following paragraphs explain why increased flexibility may be needed to encourage redevelopment of vacant and/or underutilized structures.

Redevelopment is often difficult and fraught with expensive contingencies. Costs associated with land acquisition and clearance for complete redevelopment can exceed investor risk limits. To equalize capital requirements, redevelopment projects often require additional return on investment. Developers get this added return by having more floor area to lease. This results in increased project floor area ratios, density and intensity.

Rehabbing existing vacant or underutilized structures for reuse represent opportunities as well as constraints for developers. In many cases, substantial work is needed to bring older buildings into compliance with building and life and safety code regulations such firewalls, fire suppression systems and Americans with Disabilities Act (ADA) compliance. Likewise retrofitting a large retail establishment

to accommodate multiple smaller users can be just as expensive as new “greenfield” construction due to costs associated with providing individual metered utility service and exterior entrances.

Summary Zoning Requirements

This plan includes guidelines that can be incorporated into local zoning regulations in the form of overlay districts, conventional districts and/or PUD regulations. The below listed guidelines regulate site design, building placement and architecture and reflect the land use and design recommendations of this plan. Figure 7-1 summarizes the application of each area of concern to each segment of the corridor and is followed by a more detailed discussion of zoning guidelines.

- Site Layout
 - Building front setback
 - Parking setback and location relative to buildings
- Landscaping
 - Frontage (adjacent to road right-of-way)
 - Parking Interior
 - Tree preservation
- Architecture
 - Building Orientation
 - Building Scale
 - Facade Transparency
- Parking
 - Shared parking regulations
- Natural features
 - Hillside regulations
 - Wetlands preservation

Figure 7-1: Summary of Zoning Recommendations for the US 50 Corridor

Zoning Topic	Corridor Section				
	State Line Road to I-275	I-275 to Argosy Parkway	Argosy Parkway to SR 48	SR 48 to SR 350	SR 350 to SR 62
Site Layout					
Front Building Setback (minimum ft./ maximum ft. from property line)	50/none	25/50	0/10	25/50	75
Front Parking Setback (minimum ft. from property line)	50	25	0	25	75

Zoning Topic	Corridor Section				
	State Line Road to I-275	I-275 to Argosy Parkway	Argosy Parkway to SR 48	SR 48 to SR 350	SR 350 to SR 62
Parking	Front, rear, or side yard	Rear or side yard	Rear or side yard	Rear or side yard	Front, rear, or side yard
Landscaping					
Frontage	Landscape Buffer	Landscape Beds	N/A	Landscape Beds	Natural Buffer
Parking Screening	Landscape Buffer Yard	Landscape Buffer Yard	Hardscape Screen	Landscape Buffer Yard	Natural Screen
Parking Interior	Yes	Yes	Yes	Yes	Yes
Tree Preservation	Yes	No	No	No	Yes
Architecture					
Building Orientation	Yes	Yes	Yes	Yes	Yes
Building Scale	Yes	Yes	Yes	Yes	Yes
Facade Transparency	25-50%	25-50%	60% ground floor, 25% other floors	25-50%	25-50%
Parking					
Shared Parking Regulations	Yes	Yes	Yes	Yes	Yes
Natural Features					
Hillside Regulations	Yes	No	N/A	Yes	Yes
Wetland Setbacks	Yes	Yes	N/A	Yes	Yes

Site Layout

This category of guidelines addresses the placement of buildings and parking on a lot. Different front setbacks for buildings and parking are recommended for each section of the corridor, consistent with the land use and design recommendations in Chapter 2. In sections of the corridor that are planned for higher-intensity development (i.e. I-275 to SR 350), buildings should frame the roadway and create a sense of enclosure for pedestrians. Buildings should be placed at or close to the sidewalk in urban sections (Argosy Parkway to SR 48), encouraging pedestrian activity and preserving urban fabric and character. In the high-density suburban sections adjacent to urban areas, setbacks should be larger to create a “parkway” effect but maintain a pedestrian scale.

In the lowest-intensity sections along US 50 (i.e. State Line Road to I-275 and SR 350 to SR 62), buildings should be set back and allow landscaping or natural features to frame the roadway, preserving a sense of openness and preserving rural character.

In all cases, parking should be placed behind buildings whenever possible. The most

visible portion of a site should contain the site's focal points, whether it is buildings or attractive landscaping or natural features. Front parking lots detract from these focal points and work against achieving a pedestrian scale and framing of the roadway.

Landscaping

Landscaping has a significant impact on the quality of the environment. In addition to visual appeal, landscaping provides an essential buffer and screen for undesirable features such as parking lots and utility structures.

Frontage Landscaping

Landscape Beds. This type of landscaping applies to the high-density suburban segments of the corridor. The intent is to create an attractive frontage to the site but not conceal the buildings. This landscaping should consist mainly of flowers and shrubs, with occasional trees planted.

Landscape Buffer. This type of landscaping applies to the suburban areas of the corridor. The intent is to frame the roadway with a greenbelt that contains a combination of trees, shrubs, and landscape mounds. This arrangement is ideal for the development of business parks that do not need high visibility from US 50 and benefit from an attractive, landscaped setting.

Natural Buffer. Trees and shrubs should be grouped into informal masses, creating a natural appearance. Preservation of existing woodstands can and should substitute for this requirement. This requirement would preserve the natural heritage and character of rural portions of US 50.

Parking Screening. Screening parking lots with landscaping or decorative walls between the lot and the roadway would enhance the site and de-emphasize the least attractive element of the site.

- **Landscape Buffer Yard:**
This type of screening applies to suburban and high-density suburban segments of the corridor, where there is adequate space to include landscape beds with shrubs along the parking lot edge that faces the roadway. The intent is to prevent parking lots from detracting from the landscaped or "parkway" environment that is envisioned.
- **Hardscape Screen :**
This type of screening is recommended in highly urban portions of US 50 and can consist of decorative stone, masonry, and/or metal. The wall/fence should be placed along the street frontage of parking lots that are placed to the side of buildings. This type of screening will hide parking, maintain the urban "streetwall", protect pedestrians and add a decorative architectural element to the streetscape.

- **Natural Screen:**
Similar to the natural buffer used for frontage landscaping, this buffer applies to rural areas and should be informal and natural in appearance. The density of vegetation should be higher than the natural buffer in order to more effectively hide the parking lot from view and maintain the character of a rural landscape. Existing woodstands can and should be preserved where possible to substitute for this requirement.

Parking Interior Landscaping

Landscape islands placed in the interior of parking lots help to define vehicular circulation, improve site aesthetics and provide shade. Because parking lots cannot be completely screened from the roadway, interior landscaping would help break up and soften the otherwise bleak appearance of a parking lot. Landscape areas should be covered by grass, other living ground cover or wood mulch. Trees should be planted where possible.

Tree Preservation

Preservation of existing wooded areas enhances and promotes US 50's natural features and character, preserves and increases property values, mitigates harmful environmental effects of land development and provides habitat for wildlife. Consideration should be given to laying out streets, lots, structures and parking areas to avoid unnecessary destruction of wooded areas or outstanding tree specimens. Credits should be given to developers when mature tree stands or other sensitive environmental features are preserved. When trees must be removed, a plan for tree replacement should be required.

Architectural Standards

Building Orientation

Orienting buildings toward the street would encourage pedestrian activity and contribute to a more desirable appearance to the frontage of US 50.

- Buildings should front toward and have their primary pedestrian entrance facing onto the public street. Building entrances may face towards a side yard, provided that defined pedestrian access routes are provided to the public street and walls that face the public street contain a level of architectural detail equivalent to the front of a building.
- Walls facing a public street must have windows and architectural features commonly associated with the front facade of a building, such as awnings, cornice work, edge detailing or other decorative finish materials.

Building Scale

Buildings should convey a pedestrian-oriented scale with vertical elements placed to visually break up the width of the structure.

Facade Transparency

The use of glass as an architectural and design element can provide variety, interest and openness. In urban areas, ground-floor windows can make a streetscape more inviting to pedestrians and allow businesses more space to display merchandise. Highly reflective glass is discouraged.

- Buildings in urban sections of the corridor should have glass on at least 60 percent of the ground floor front façade and 25 percent of other floors covered by glass, to encourage pedestrian activity.
- Buildings in all other sections should have between 25 percent and 50 percent glass coverage for the entire front façade.

Parking

Off-street parking is important but parking lots should not define the study area's character and landscape, particularly in the most urban sections of the corridor. Reduced parking in urban environments is often necessary due to space constraints and the need to balance pedestrian and automobile needs. To reduce the size of required parking lots in urban segments, consideration should be given to automatically reducing parking requirements. Many communities provide similar parking reductions in traditional areas in recognition of limited land area, small-scale districts and neighborhood character. Availability of public and on-street parking within walking distance can also be justification for reducing parking requirements.

An additional strategy for the parking-constrained urban segments is a fee-in-lieu-of payment. This strategy has been adopted in the urban sections of communities such as Mason, Ohio and Clarkston, Michigan. A payment is required that equals the cost to plan and construct every required parking space that is not provided in a new development. This money is placed into a special parking account which is then used for land acquisition and public parking lot construction and maintenance.

A strategy that applies to all areas is the reduction of off-street parking requirements in return for shared parking between uses. Shared parking will become more necessary and should be encouraged as access points are consolidated. Differences in existing and proposed land uses and hours of operation should be reviewed when considering shared parking arrangements in order to ensure an adequate supply of parking. Access easements are often required to ensure that shared parking works effectively.

Natural Features

Hillside Regulations

Hillsides pose unique problems for development. They are prone to natural hazards and they topographically constrain the design of developments. Local governments regulate hillside development to promote the protection of:

- Lives and property from landslides
- Natural resources such as water supply
- Environmental features and systems, such as river corridors, wildlife habitat and natural vegetation
- Aesthetic or scenic quality
- Access for residents, visitors, and public service providers

The following are general areas to consider when regulating development activities on hillsides:

- Development density should be limited on hillsides, particularly in slide-prone areas.
- Natural character should be preserved by avoiding deep excavations and excessive terracing.
- Building height should be limited and setbacks from hill crests should be required in order to preserve natural appearance of hillsides.
- Existing trees should be preserved and/or quickly replanted in order to maintain hillside stability.
- Excavation and fill activities should be regulated to control stormwater runoff and erosion, preserve stability of the slope and protect surrounding buildings.

Wetland setbacks

Wetlands have been identified in some portions of the corridor based on GIS data made available during the study. A wetland is an area that is frequently inundated or saturated by surface or ground water. In their natural state, wetlands serve to control flooding and water pollution, buffer shorelines and stream banks against erosion and maintain supplies of potable ground water. Wetlands also provide high-quality wildlife habitat and offer opportunities for recreation, scientific study and natural resource education. Preserving wetlands can help in preserving rural character and natural elements of the US 50 Corridor.

Wetlands are subject to significant development constraints because of poorly-drained subsoils and the need for constructed drainage and storm water management systems to compensate for loss of natural wetlands functions. Maps that identify wetlands are developed by the National Wetland Inventory and published by the U.S. Fish and Wildlife Service.

Development should preserve wetlands wherever possible, especially in the rural segments of the corridor. Wetlands setbacks should be required for structures and paved areas.

ACCESS MANAGEMENT RECOMMENDATIONS

INDOT is in the process of completing an access management study for the entire state. The product of the study will be an Access Management Manual that includes updates to the INDOT Driveway Permit Manual and sample zoning language. It is important that US 50, as a state route, adopt and adhere to the regulations established by INDOT. The recommendations from the INDOT study are not available at this time. In lieu of the updated INDOT access management regulations, this study utilized information from the Transportation Research Board, the current INDOT Driveway Permit Manual and the ODOT to develop the future access management plans. These sources are also referenced in the INDOT access management study; therefore the future access management plan should be in compliance with the new regulations.