

CARMEL CITY CODE
CHAPTER 10: ZONING & SUBDIVISIONS
ARTICLE 1: ZONING CODE
CARMEL ZONING ORDINANCE
CHAPTER 18: B-7/BUSINESS DISTRICT

- 18.00 B-7/Business District.
- 18.01 Permitted Uses.
- 18.02 Special Uses & Special Exceptions.
- 18.03 Accessory Buildings and Uses.
- 18.04 Height and Area Requirements.
- 18.05 Parking and Loading Berth Requirements.
- 18.06 Landscaping Requirements.
- 18.07 Storage, Display and Refuse.

18.00 B-7/Business District.¹

18.00.01 Purpose and Intent.

The purpose of this district is to allow for development of a wide variety of commercial uses near areas zoned or utilized for residential purposes. The intent is to permit efficient land usage while protecting and maintaining the character of neighboring residential areas.

18.00.02 Plan Commission Approval.

- A. Development Plan. The Commission shall review the Development Plan (DP) of any proposed use of any Lot or parcel of ground within the B-7 District prior to the issuance of an Improvement Location Permit by the Department. Once approved by the Commission the Development Plan (DP) shall not be materially or substantially changed or altered without the prior approval of the Commission. The Development Plan shall address the comprehensive arrangement of land uses, buildings, landscape areas, road and parking areas in accordance with harmonious and aesthetic principles of the ADLS.
- B. Architectural Design, Exterior Lighting, Landscaping and Signage. To insure the compatibility of the proposed use with adjoining areas, the Commission shall review the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) application of any proposed use of any Lot or parcel of ground within the B-7 District prior to the issuance of an Improvement Location Permit by the Department. Once approved by the Commission the Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS) shall not be materially or substantially changed or altered without the prior approval of the Commission.
- C. Applicability. Commission approval shall be necessary:
 - 1. prior to the consideration by the Board of Zoning Appeals for a variance of any property located within the B-7 District;
 - 2. prior to the issuance of any Improvement Location Permit in the B-7 District.

¹ Section 18.00 amended per Ordinance No. Z-369-02, §ae; Z-453-04, §as.

- D. Review Criteria. The Commission shall examine each proposal in relation to the health, safety and general welfare of the community and particularly nearby residential areas. The Commission review is to determine that the proposed use is within the permitted uses within a B-7 District and that the proposed use is appropriately designed and landscaped to compatibly adjoin a residential area. In such review, the Commission shall consider the particular elements of each proposal, which may include, but are not limited to the following items:
1. Neighborhood Impact: social/neighborhood effects, impact on surrounding property, compatibility with existing commercial uses, benefit to community, and minimization or containment of possible negative effects.
 2. Site Suitability: topography, on-site and off-site surface and subsurface storm and water drainage, surrounding zoning and land use, access to public streets, soils and hydrology.
 3. Public Facilities: capacity of proposed and existing public streets, available police and fire protection, easements and utilities on-site and to the site, including water, sewage and storm drainage facilities.
 4. Circulation Patterns: amount and direction of traffic flow proposed, existing vehicular and pedestrian circulation pattern, streets, sidewalks, curbs, gutters, driveway and curb cut locations in relation to other sites, parking location and arrangement, alleys, service areas, loading bays and dedication of streets and rights-of-way.
 5. Architectural Design: scale and proportion, suitability of building materials, surrounding building design, proposed and existing landscaping, exterior lighting, signage, site coverage, screening and buffering and necessary building height, bulk and setback.

18.00.99 Application Procedure.

- A. Development Plan. See *Section 24.99(A): Development Plan.*
- B. Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS). See *Section 24.99(B): Architectural Design, Exterior Lighting, Landscaping and Signage (ADLS).*

18.01 Permitted Uses.²

See *Appendix A: Schedule of Uses.*

18.01.01 Minimum Area Requirements:

<u>Use</u>	<u>Minimum Area</u> (Acres)
Day nursery	One (1)
Kindergarten	One (1)

18.01.02 Other Requirements:

<u>Use</u>	<u>Other Requirements:</u>
Dry cleaning and laundry (pick-up & delivery only)	No dry cleaning or laundering on premises
Hardware store	No service center

² *Section 18.01* amended per *Ordinance No. Z-415-03, §an.*

18.02 Special Uses & Special Exceptions:³

- A. See *Appendix A: Schedule of Uses*.
- B. See *Chapter 21: Special Uses & Special Exceptions* for additional regulations.

18.03 Accessory Buildings and Uses:⁴ See also *Section 25.01*.

Accessory Buildings and Uses customarily and purely incidental to the uses allowed in this district are permitted contingent upon Commission approval (see *Section 18.00.02*) and under the following conditions:

- 1. shall have on all sides the same architectural features or shall be architecturally compatible with the Principal Building(s) with which it is associated.

18.04 Height and Area Requirements. (See *Chapter 26: Additional Height, Yard, & Lot Area Regulations* for additional requirements.)

18.04.01 Maximum Height: Thirty-five (35) feet, with a maximum of two (2) stories.

18.04.02 Minimum Front Yard: Forty (40) feet.

18.04.03 Minimum Side Yard: Ten (10) feet.

18.04.04 Minimum Aggregate of Side Yard: Twenty-five (25) feet.

18.04.05 Minimum Rear Yard: Thirty (30) feet.

18.04.06 Minimum Lot Width: One hundred (100) feet. However, if a lot was recorded prior to May 5, 1980 ("Effective Date") and said lot does not meet the minimum lot width requirements of this section, said lot ("Undersized Lot") may be used for any use permitted in the B-7 District provided that:

- 1. At the time of the recordation of the Undersized Lot, or on the Effective Date, the Undersized Lot met the requirements for minimum lot width then in effect for the underlying primary zoning district(s);
- 2. The owner of the Undersized Lot must include, up to the minimum lot width, any adjoining vacant land (not separated by a street or public way) owned on or before the Effective Date or at the time of application which, if combined with the Undersized Lot, would create a lot which conforms to the minimum lot width requirements of this section; and
- 3. All other applicable regulations of the B-7 District can be met.

18.04.07 Minimum Lot Size: A lot for a business use shall contain a minimum of ten thousand (10,000) square feet when serviced by a community water system and a community sanitary sewer system. A lot for a multiple-family dwelling shall contain five thousand (5,000) square feet per dwelling unit when serviced by a community water system and a community sewer system. Twenty-five thousand (25,000) square feet shall be added to the minimum lot size if a community sanitary sewer system does not service the lot and eight thousand, five hundred sixty (8,560) square feet shall be added if a community water system does not service the lot. Five thousand (5,000) square feet may be deducted from the minimum lot size add-ons for private water and sewer systems if an adequate drainage system, such as through the use of perimeter tile drains, increased pad elevations and a storm sewer system with an adequate drainage outlet, is used to alleviate surface and ground water problems.

18.04.08 Minimum Ground Floor Area:

- 1. Business uses: Nine hundred (900) square feet;
- 2. Multiple-family dwelling: Eight hundred (800) square feet.

18.04.09 Maximum Lot Coverage for Multiple-family Dwellings: Forty percent (40%) of lot.

³ Section 18.02 amended per *Ordinance No. Z-320; Z-365-01; Z-415-03, §ao; Z-453-04, §at.*

⁴ Section 18.03 amended per *Ordinance No. Z-369-02, §af.*

18.05 Parking and Loading Berth Requirements. (See *Chapter 27: Additional Parking & Loading Requirements* for additional requirements.)

18.05.01 All business uses, except office buildings:

1. 3,000 - 15,000 square feet gross floor area: One (1) berth
2. 15,001 - 40,000 square feet gross floor area: Two (2) berths.
3. Each 25,000 additional square feet: One (1) additional berth.

18.05.02 Office buildings:

1. 100,000 or less square feet gross floor area: One (1) berth.
2. 100,001 - 300,000 square feet gross floor area: Two (2) berths.
3. Each 200,000 additional square feet: One (1) additional berth.

18.06 Landscaping Requirements.⁵ See *Chapter 33: Commercial Development Landscape Ordinance.*

18.07 Storage, Display and Refuse.⁶

All storage, display and refuse shall be completely enclosed in a Principal or Accessory Building.

⁵ Section 18.06 amended per Ordinance No. Z-365-01; Z-453-04, §au-aw; Z-577-13.

⁶ Section 18.07 amended per Ordinance No. Z-453-04, §ax.

**CHAPTER 18: B-7/BUSINESS DISTRICT
AMENDMENT LOG**

Ordinance No.	Docket No.	Council Approval	Effective Date	Sections Affected
Z-320				
Z-365-01	76-01a OA	November 5, 2001	November 27, 2001	18.02; 18.06.04(1); 18.08.03
Z-369-02	160-01 OA	April 1, 2002	April 1, 2002	18.00.02; 18.03 Spring 2002 v2
Z-415-03	39-02 OA	November 17, 2003	November 18, 2003	18.01; 18.02 Autumn 2003 v1
Z-453-04	150-02 OA	August 16, 2004	August 16, 2004	18.00.99; 18.02; 18.06.01; 18.06.04; 18.07; 18.08 Summer 2004 v1
Z-577-13, as amended	13030009 OA	October 7, 2013	October 15, 2013	18.06 Autumn 2013 v1