

JUN 09 2021

Samela J. Burton
AUDITOR, JOHNSON COUNTY

City of Franklin Common Council

ORDINANCE NUMBER 2021-12

2021-017413
RECORDED ON
06/10/2021 02:21:10 PM
TERESA K. PETRO
JOHNSON COUNTY RECORDER
REC FEE: 25.00
PAGES: 20
RECORDED AS PRESENTED

AN ORDINANCE APPROVING RESOLUTION NUMBER 2020-30
OF THE CITY OF FRANKLIN, INDIANA PLAN COMMISSION, AMENDING ZONING ORDINANCE, ARTICLE 3:
ZONING DISTRICT, ARTICLE 7: DEVELOPMENT STANDARDS & ARTICLE 13: DEFINITIONS AND
SUBDIVISION CONTROL ORDINANCE, ARTICLE 6: SUBDIVISION STANDARDS
(To be known as Zoning Ordinance & Subdivision Control Ordinance Amendments - 2021)

WHEREAS, the City of Franklin, Indiana Plan Commission (referred to hereafter as the "Plan Commission") is an advisory Plan Commission to the City of Franklin, Indiana (referred to hereafter as the "City"), and has, by Resolution Number 2020-30 forwarded a favorable recommendation that the City's Common Council amend Zoning Ordinance, Article 3: Zoning District, Article 7: Development Standards & Article 13: Definitions and Subdivision Control Ordinance, Article 6: Subdivision Standards ordinance text; more particularly described in "Exhibits A thru K".

WHEREAS, pursuant to Indiana Code § 36-7-4-605, Resolution 2020-30 has been certified to the City's Common Council; and

WHEREAS, the Common Council, after paying reasonable regard to: 1) City of Franklin Comprehensive Plan, 2) the current conditions and the character of current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the City of Franklin's planning jurisdiction, and 5) responsible growth and development, finds the proposed amendments as described in "Exhibit A thru K" should be approved.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, ORDAINS AND ENACTS THE FOLLOWING:

1. **Zoning Ordinance and Subdivision Control Ordinance Text Amended:** The Zoning Ordinance and Subdivision Control Ordinance of the City of Franklin, Indiana is hereby amended as described and attached hereto and labeled as "Exhibits A thru K".
2. **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain.
3. **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect upon the remaining provisions of this ordinance.
4. **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity will have no effect upon the remaining provisions of this ordinance.

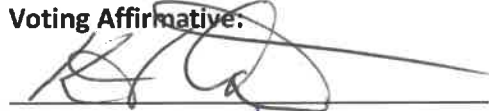
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on the day of passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code § 36-4-6-16.

INTRODUCED on the 17th day of May, 2021.

DULY PASSED on this 7 day of June, 2021, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 6 in Favor and 0 Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:



Kenneth Austin, President



Melissa Jones



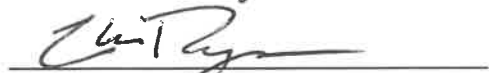
Daniel J. Blankenship



Robert D. Heuchan



Anne McGuinness



Chris Rynerson



Shawn Taylor

Voting Opposed:



Kenneth Austin, President



Melissa Jones



Daniel J. Blankenship



Robert D. Heuchan



Anne McGuinness



Chris Rynerson



Shawn Taylor

Attest:

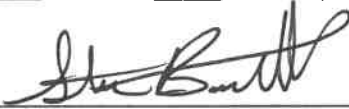


Jayne Rhoades, City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 7 day of June, 2021 at 6:15 o'clock p.m.


Jayne Rhoades, City Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me was [Approved] by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)) [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2), this 7th day of JUNE, 2021 at 6:08 o'clock p.m.



Steve Barnett, Mayor

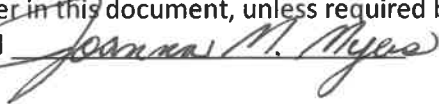
Attest:



Jayne Rhoades, City Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

Signed



Prepared by:
Joanna Myers, Senior Planner
Department of Planning & Engineering
70 E. Monroe Street
Franklin, IN 46131

EXHIBIT “A”

ZONING ORDINANCE

3.22(A) Industrial: Light (IL) – PROPOSED AMENDMENT

Add “General Industrial Production” as a permitted use.

Add “Trucking Company” as a special exception.

3.23(A) Industrial: General (IG) – PROPOSED AMENDMENT

Add “Trucking Company” as a special exception.

Revise “Truck Freight Terminal” as a special exception.

EXHIBIT “B”

ZONING ORDINANCE

5.4(C) Gateway (GW-OL) – CURRENT LANGUAGE

C. **Development Standards:** All development within the boundaries of the Gateway Overlay District shall comply with the following development standards.

1. Architectural Standards (Facade Walls): A “facade wall” shall be defined as any exterior wall visible from a street (public or private) or other GW-OL zoned property. All facade walls shall meet the following requirements:
 - a. *Exterior Materials:* The use of smooth-faced concrete block, untextured smooth-faced tilt-up panels, and standing seam metal panels shall be prohibited. The Planning Director shall approve or deny the use of all composite and alternative materials that replicate the appearance and durability of those listed below. All facade wall exterior building materials shall be high quality materials, and shall be limited to any combination of the following:
 - i. brick or face tile;
 - ii. wood;
 - iii. native stone;
 - iv. glass (reflective glass shall be limited to a maximum of 50% of the area of any facade wall on which glass is used);
 - v. tinted and / or textured concrete masonry units (such as split-face block and burnished block);
 - vi. tilt-up concrete panels that are adorned or textured as to conform to 5.4(C)(1)(a)(v);
 - vii. architectural pre-cast concrete; and
 - viii. architectural metal.
 - b. *Exterior Colors:* Exterior facade wall colors shall be low reflectance, subtle, neutral, or earth tones. The use of high intensity, primary, metallic, black or fluorescent colors shall be prohibited. Building trim and accent areas may feature brighter colors or primary colors. Such building trim and accent areas shall not exceed 10% of any single exterior wall area excluding all windows, doors, and glass construction materials.

5.4(C) Gateway (GW-OL) – PROPOSED AMENDMENT

C. **Development Standards:** All development within the boundaries of the Gateway Overlay District shall comply with the following development standards.

1. Architectural Standards (Facade Walls): A “facade wall” shall be defined as any exterior wall visible from a street (public or private) or other GW-OL zoned property. All facade walls shall meet the following requirements:
 - a. *Exterior Materials:* The use of smooth-faced concrete block, untextured smooth-faced tilt-up panels, and standing seam metal panels shall be prohibited. The Planning Director shall approve or deny the use of all composite and alternative materials that replicate the appearance and durability of those listed below. All facade wall exterior building materials shall be high quality materials, and shall be limited to any combination of the following:
 - i. brick or face tile;
 - ii. wood;
 - iii. native stone;
 - iv. glass (reflective glass shall be limited to a maximum of 50% of the area of any facade wall on which glass is used);

- v. tinted and / or textured concrete masonry units (such as fiber cement panels, split-face block and burnished block);
 - vi. tilt-up concrete panels that are adorned or textured as to conform to 5.4(C)(1)(a)(v);
 - vii. architectural pre-cast concrete;
 - viii. architectural metal (accents and trim only); standing seam metal is prohibited; and
 - ix. exterior insulation and finish system, EIFS, (shall be limited to a maximum of 30% of any single facade wall area excluding all windows, doors, and glass construction materials).
- b. *Exterior Colors:* Exterior facade wall colors shall be low reflectance, subtle, neutral, or earth tones. The use of high intensity, primary, metallic, black or fluorescent colors shall be prohibited. Building trim and accent areas may feature brighter colors or primary colors. Such building trim and accent areas shall not exceed 30% of any single exterior wall area excluding all windows, doors, and glass construction materials.

EXHIBIT “C”

ZONING ORDINANCE

7.10 – Part 2 (G) Residential Parking Standards – CURRENT LANGUAGE

- G. **Multi-Family Dwellings:** Parking spaces for dwellings in the Residential, Multi-Family (RM) zoning district shall be provided on the same lot as the dwelling unit for which they are required and shall meet the following standards:
1. Space Requirements: A minimum of 2.5 off-street parking spaces are required for each dwelling unit (rounded to the nearest complete space). In addition, parking spaces for management offices, sales facilities, self-service laundries, and other accessory uses shall be equal to 1/2 of the requirements for those uses established by Chapter 7.10 (Part 3).

7.10 – Part 2 (G) Residential Parking Standards – PROPOSED AMENDMENT

- G. **Multi-Family Dwellings:** Parking spaces for dwellings in the Residential, Multi-Family (RM) zoning district shall be provided on the same lot as the dwelling unit for which they are required and shall meet the following standards:
1. Space Requirements: A minimum of 2 off-street parking spaces are required for each dwelling unit (rounded to the nearest complete space). Where individual enclosed garage units are used, a minimum of 0.5 additional off-street parking spaces are required for each individual garage unit provided (rounded to the nearest complete space). [Example: 50 dwelling units and a 5 individual garage units = 103 parking spaces]. In addition, parking spaces for management offices, sales facilities, self-service laundries, and other accessory uses shall be equal to 1/2 of the requirements for those uses established by Chapter 7.10 (Part 3).

EXHIBIT “D”

ZONING ORDINANCE

7.10 – Part 3 (B) Non-Residential Parking Standards – CURRENT LANGUAGE

B. **Access/Location Requirements:** All parking spaces shall be accessed and located consistent with the following standards:

1. Access to Public Streets: Parking areas must be designed to prevent vehicles from having to back into, or maneuver in public streets (access to alleys shall be exempt from this requirement).
2. Maneuvering Space: All parking spaces shall be provided with adequate maneuvering space into which vehicles can back for the purpose of exiting the parking space.
3. Parking Location: For all non-industrial parking lots exceeding 50 parking spaces, the placement of more than 40% of the required parking spaces in the front yard shall be prohibited. The remaining parking spaces shall be provided in rear and side yards. Properties on which the parking lot is the primary use shall be exempt from this requirement.

7.10 – Part 3 (B) Non-Residential Parking Standards – PROPOSED LANGUAGE

B. **Access/Location Requirements:** All parking spaces shall be accessed and located consistent with the following standards:

1. Access to Public Streets: Parking areas must be designed to prevent vehicles from having to back into, or maneuver in public streets (access to alleys shall be exempt from this requirement).
2. Maneuvering Space: All parking spaces shall be provided with adequate maneuvering space into which vehicles can back for the purpose of exiting the parking space.
3. Parking Location: For all non-industrial parking lots exceeding 50 parking spaces, the placement of more than 40% of the required parking spaces in the front yard shall be prohibited. The remaining parking spaces shall be provided in rear and side yards. Properties on which the parking lot is the primary use shall be exempt from this requirement.

EXHIBIT “E”

ZONING ORDINANCE

7.11(B) Loading Standards – CURRENT LANGUAGE

- B. Location:** All required off-street loading berths shall be located on the same lot as the use to be served. They shall be designed so that no portion of a loading/unloading vehicle projects into a street, alley, or other public right-of-way. Shared truck courts between adjacent properties shall be permitted.
1. All exterior loading berths for commercial and institutional uses shall be oriented to face the side or rear yards of the lot on which they are located.
 2. No loading space may be located in any front yard or any required buffer yard.

7.11(B) Loading Standards – PROPOSED AMENDMENT

- B. Location:** All required off-street loading berths shall be located on the same lot as the use to be served. They shall be designed so that no portion of a loading/unloading vehicle projects into a street, alley, or other public right-of-way. Shared truck courts between adjacent properties shall be permitted.
1. All exterior loading berths for commercial and institutional uses shall be oriented to face the side or rear yards of the lot on which they are located.
 2. No loading space may be located in any front yard **for commercial and institutional uses**, or any required buffer yard for all uses.

EXHIBIT “F”

ZONING ORDINANCE

7.12(C)(1-2) Entrance/Drive Standards – CURRENT LANGUAGE

1. Entrance Widths: No entrance shall exceed the following pavement widths at the point which they intersect the public right-of-way. The distances for these standards shall be determined by measuring from the outside edges of the curb or pavement (whichever is more) of the entrance or drive at the public right-of-way which it accesses, and shall not include any acceleration or deceleration lanes or turning radii:
 - a. 14 feet per lane (exclusive of any medians) if from a non-residential or multi-family residential use onto any type of street, and
 - b. 22 feet total if from a single-family or two-family use onto any type of street.
2. Interior Drive Widths: The minimum pavement widths for driveways and interior drives shall meet the following requirements, exclusive of any parking spaces:
 - a. For single and two-family residential uses the minimum driveway width shall be 11 feet.
 - b. For all multi-family and non-residential uses the following interior drive minimums shall be required:
 - i. 13 if 1-way traffic and no parking or 45 degree parking,
 - ii. 18 feet if 1-way traffic and 60 degree parking,
 - iii. 22 feet if 1-way traffic and 90 degree parking,
 - iv. 24 feet if 2-way traffic or accessing a loading berth.

7.12(C)(1-2) Entrance/Drive Standards – PROPOSED AMENDMENT

1. Entrance Widths: No entrance shall exceed the following pavement widths at the point which they intersect the public right-of-way. The distances for these standards shall be determined by measuring from the outside edges of the curb or pavement (whichever is more) of the entrance or drive at the public right-of-way which it accesses, and shall not include any acceleration or deceleration lanes or turning radii:
 - a. 14 feet per lane (exclusive of any medians) if from a non-residential or multi-family residential use onto any type of street, and
 - b. If from a single-family or two-family use onto any type of street:
 - i. Maximum of 40% of lot width, not to exceed 32 feet total.
 - ii. Over-riding Limitation: In no instance shall any legally established parcel be limited to less than 16 feet total.
2. Interior Drive Widths: The minimum pavement widths for driveways and interior drives shall meet the following requirements, exclusive of any parking spaces:
 - a. For single and two-family residential uses the minimum driveway width shall be 11 feet.
 - b. For all multi-family and non-residential uses the following interior drive minimums shall be required:
 - i. 11 feet for drive-thrus
 - ii. 13 feet if 1-way traffic and no parking or 45 degree parking,
 - iii. 18 feet if 1-way traffic and 60 degree parking,
 - iv. 22 feet if 1-way traffic and 90 degree parking,
 - v. 24 feet if 2-way traffic or accessing a loading berth.

EXHIBIT “G”

ZONING ORDINANCE

13.2 Definitions – PROPOSED AMENDMENT

Trucking Company: An area and/or building where trucks and/or trailers are stored, where loading and unloading does not primarily occur regularly, may include minor truck maintenance, scales and/or fuel.

EXHIBIT “H”

SUBDIVISION CONTROL ORDINANCE

6.8(B)(5) Cul-de-Sac Standards: Design Requirements – CURRENT LANGUAGE

5. Landscape Islands: Landscape islands shall be required in all residential cul-de-sacs, but shall be prohibited in all non-residential cul-de-sacs. Landscape islands shall measure between 15 and 20 feet in diameter for urban cross-section streets and 20 to 30 feet in diameter for rural cross-section streets. All such islands shall be curbed, shall be planted with grass, and may include trees meeting the specifications of Chapter 6.14.

6.8(B)(5) Cul-de-Sac Standards: Design Requirements – PROPOSED LANGUAGE

Strike in its entirety.

5. ~~Landscape Islands: Landscape islands shall be required in all residential cul-de-sacs, but shall be prohibited in all non-residential cul-de-sacs. Landscape islands shall measure between 15 and 20 feet in diameter for urban cross-section streets and 20 to 30 feet in diameter for rural cross-section streets. All such islands shall be curbed, shall be planted with grass, and may include trees meeting the specifications of Chapter 6.14.~~

EXHIBIT “I”

SUBDIVISION CONTROL ORDINANCE

6.4 Block Standards – CURRENT LANGUAGE

- A. **Block Dimensions:** Block length, width, and acreage within bounding streets shall be appropriate to accommodate the size of lot required by the Zoning Ordinance for the district in which the subdivision is to be located, and to provide convenient access, circulation control, and traffic safety.
1. Block Width: Blocks shall have sufficient width to provide for 2 tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted where double frontage lots are used in blocks adjacent to arterial or collector streets, watercourses, or industrial or commercial areas.
 2. Block Length: Blocks shall not exceed 800 feet in length, nor be less than 200 feet in length. Block length shall be measured as the distance between center lines of intersecting streets.

6.4 Block Standards – PROPOSED AMENDMENT

- A. **Block Dimensions:** Block length, width, and acreage within bounding streets shall be appropriate to accommodate the size of lot required by the Zoning Ordinance for the district in which the subdivision is to be located, and to provide convenient access, circulation control, and traffic safety.
1. Block Width: Blocks shall have sufficient width to provide for 2 tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted where double frontage lots are used in blocks adjacent to arterial or collector streets, watercourses, or industrial or commercial areas.
 2. Block Length: Blocks shall not exceed 1,200 feet in length, nor be less than 200 feet in length. Block length shall be measured as the distance between center lines of intersecting streets.

EXHIBIT “J”

SUBDIVISION CONTROL ORDINANCE

6.15 Street Trees Standards – CURRENT LANGUAGE

- A. **General Requirements:** All subdivisions shall be required to provide street trees along streets within and adjacent to the subdivision.
1. General Location: Street trees may be planted either in the right-of-way or within 5 feet of the right-of-way on adjacent property included in a street tree easement. Street trees shall be provided in the right-of-way unless, in the opinion of the City Engineer, that location would present a hazard for utilities or public safety. A street tree planting area, coordinated with utility and sidewalk locations, shall be shown on all plats.
 2. Use of Existing Trees: Existing trees on property located in the right-of-way of a public street may be considered as meeting the street tree requirement if such trees are in good health and are protected during the construction process.
 - a. *Determination:* The Plan Commission shall determine whether or not existing trees may be used to satisfy the street tree requirement at the time of Primary Plat review.
 - b. *Maintenance:* The Planning Director may require the subdivider to provide maintenance bonds consistent with Article 5 of this Ordinance for any existing trees to be preserved.
- B. **Planting Requirements:** One street tree shall be planted for every 35 feet of street frontage or fraction thereof, regardless of driveways or other features. Trees may be evenly spaced or grouped together. Street trees shall also meet the following requirements:
1. Tree Size: All street trees shall be a minimum of 2 1/2 inch caliper as measured 6 inches from the top of the rootball, at the time of planting.
 2. Separation from Pavement: No tree may be planted so that its center is closer than 2 feet to a sidewalk or curb, or edge of pavement if no curbs are present.
 3. Visual Clearance: No tree shall be planted within 25 feet of the intersection of 2 street rights-of-way, within 5 feet of the intersection of a street right-of-way and an entrance driveway, or within the Sight Visibility Triangle established by the Zoning Ordinance.
 4. Separation from Utilities: No tree shall be planted within 10 feet of any fire hydrant or 2 lateral feet of any underground utility service.
 5. Permitted Tree Types: Street trees shall be of one or more of the species described in the Permitted Street Trees table. No other types of trees, or any plant material other than grass, shall be planted in a street right-of-way. A variety of permitted tree types shall generally be used in each subdivision.
- C. **Installation:** Where required, street trees shall be installed on each lot after the structure(s) on that lot are completed. No permanent Certificate of Occupancy shall be provided for any lot (including there structures on that lot) until the approved street trees are installed.

PERMITTED STREET TREES

Common Name	Scientific Name
Hornbeam	
American Hornbeam	<i>Carpinus Caroliniana</i>
Upright European Hornbeam	<i>Carpinus Betulas "Fastigiata"</i>
Elm	
Accolade Elm	<i>Ulmus Japonica x Wilsoniana "Morton"</i>
Frontier Elm	<i>Ulmus Carpinifolia x Parvifolia "Frontier"</i>
Homestead Elm	<i>Ulmus "Homestead" (complex hybrid)</i>
Ash	
Green Ash	<i>Fraxinus Pennsylvanica</i>
White Ash	<i>Fraxinus Americana</i>
Ginko (Male)	
Fairmount Ginko	<i>Ginko Biloba "Fairmount"</i>
Sentry Ginko	<i>Ginko Biloba "Sentry"</i>
Upright Ginko	<i>Ginko Biloba "Upright"</i>
Honeylocust	
Majestic Honeylocust	<i>Gleditzia Triacanthos Inermis "Majestic"</i>
Moriane Honeylocust	<i>Gleditzia Triacanthos Inermis "Moriane"</i>
Shademaster Honeylocust	<i>Gleditzia Triacanthos Inermis "Shademaster"</i>
Skyline Honeylocust	<i>Gleditzia Triacanthos Inermis "Skyline"</i>
Sunburst Honeylocust	<i>Gleditzia Triacanthos Inermis "Sunburst"</i>
Linden	
Basswood	<i>Tilia Americana</i>
Chancellor Linden	<i>Tilia Cordata "Chancellor"</i>
Greenspire Linden	<i>Tilia Cordata "Greenspire"</i>
Silver Linden	<i>Tilia Cordata "Silver"</i>
Swedish Upright Linden	<i>Tilia Cordata "Swedish Upright"</i>
Maple	
Armstrong Red Maple	<i>Acer Rubrum "Autumn Flame"</i>
Paperbark Maple	<i>Acer Griseum</i>
Red Sunset Red Maple	<i>Acer Rubrum "Red Sunset"</i>
Striped Maple	<i>Acer Pensylvanicum</i>
Sugar Maple	<i>Acer Saccharum</i>
Tilford Red Maple	<i>Acer Rubrum "Tilford"</i>
Trident Maple	<i>Acer Buergerianum</i>
Oak	
Bur Oak	<i>Quercus Macrocarpa</i>
Chestnut Oak	<i>Quercus Prinus</i>
Chinkapin Oak	<i>Quercus Muehlenbergii</i>
English Oak	<i>Quercus Robur</i>
Laurel Oak	<i>Quercus Hemisphaerica</i>
Pin Oak	<i>Quercus Palustris</i>
Post Oak	<i>Quercus Stellata</i>
Red Oak	<i>Quercus Borealis</i>
Scarlet Oak	<i>Quercus Coccinea</i>

Shingle Oak	<i>Quercus Inbricaria</i>
Shumard Oak	<i>Quercus Shumardii</i>
White Oak	<i>Quercus Alba</i>
Common Alder	<i>Alnus Glutinosa</i>
Golden Raintree	<i>Koelreuteria Paniculata</i>
London PlaneTree	<i>Platanus x Acerifolia</i>

6.15 Street Trees Standards – PROPOSED AMENDMENT

- A. **General Requirements:** All subdivisions shall be required to provide street trees along streets within and adjacent to the subdivision.
1. **General Location:** Street trees shall be planted within 10 feet of the right-of-way. Tree plantings within the right-of-way should be avoided if at all possible. However, street trees may be provided in the right-of-way, only as necessary, to meet spacing requirements or reduce conflicts with utilities. A street tree planting area, coordinated with utility and sidewalk locations, shall be shown on all plats.
 2. **Use of Existing Trees:** Existing trees located within 10 feet of the right-of-way of a public street may be considered as meeting the street tree requirement if such trees are in good health and are protected during the construction process.
 - a. *Determination:* The Plan Commission shall determine whether or not existing trees may be used to satisfy the street tree requirement at the time of Primary Plat review.
 - b. *Maintenance:* The Planning Director may require the subdivider to provide maintenance bonds consistent with Article 5 of this Ordinance for any existing trees to be preserved.
- B. **Planting Requirements:** One street tree shall be planted for every 40 feet of street frontage or fraction thereof, minus the width of the driveway(s) as measured along the front property line. Trees may be evenly spaced or grouped together. Street trees shall also meet the following requirements:
1. **Tree Size:** All street trees shall be a minimum of 2 inch caliper as measured 6 inches from the top of the rootball, at the time of planting.
 2. **Separation from Pavement:** No tree may be planted so that its center is closer than 2 feet to a sidewalk or curb, or edge of pavement if no curbs are present.
 3. **Visual Clearance:** No tree shall be planted within 25 feet of the intersection of 2 street rights-of-way, within 5 feet of the intersection of a street right-of-way and an entrance driveway, within the Sight Visibility Triangle established by the Zoning Ordinance, or obstructs the view of a traffic control sign.
 4. **Separation from Utilities:** No tree shall be planted within 10 feet of any fire hydrant or 5 lateral feet of any underground utility service.
 5. **Permitted Tree Types:** Street trees shall be of one or more of the species described in the Permitted Street Trees table. No other types of trees, or any plant material other than grass, shall be planted in a street right-of-way. A variety of permitted tree types shall generally be used in each subdivision.
- C. **Installation:** Where required, street trees shall be installed on each lot after the structure(s) on that lot are completed. No permanent Certificate of Occupancy shall be provided for any lot (including there structures on that lot) until the approved street trees are installed.

PERMITTED STREET TREES

Common Name	Scientific Name
Hornbeam	
American Hornbeam	<i>Carpinus Caroliniana</i>
Upright European Hornbeam	<i>Carpinus Betulas "Fastigiata"</i>
Elm	
Accolade Elm	<i>Ulmus Japonica x Wilsoniana "Morton"</i>
Frontier Elm	<i>Ulmus Carpinifolia x Parvifolia "Frontier"</i>
Homestead Elm	<i>Ulmus "Homestead" (complex hybrid)</i>
Ash	
Green Ash	<i>Fraxinus Pennsylvanica</i>
White Ash	<i>Fraxinus Americana</i>
Ginko (Male)	
Fairmount Ginko	<i>Ginko Biloba "Fairmount"</i>
Sentry Ginko	<i>Ginko Biloba "Sentry"</i>
Upright Ginko	<i>Ginko Biloba "Upright"</i>
Honeylocust	
Majestic Honeylocust	<i>Gleditzia Triacanthos Inermis "Majestic"</i>
Moriane Honeylocust	<i>Gleditzia Triacanthos Inermis "Moriane"</i>
Shademaster Honeylocust	<i>Gleditzia Triacanthos Inermis "Shademaster"</i>
Skyline Honeylocust	<i>Gleditzia Triacanthos Inermis "Skyline"</i>
Sunburst Honeylocust	<i>Gleditzia Triacanthos Inermis "Sunburst"</i>
Linden	
Basswood	<i>Tilia Americana</i>
Chancellor Linden	<i>Tilia Cordata "Chancellor"</i>
Greenspire Linden	<i>Tilia Cordata "Greenspire"</i>
Silver Linden	<i>Tillia Cordata "Silver"</i>
Swedish Upright Linden	<i>Tilia Cordata "Swedish Upright"</i>
Maple	
Armstrong Red Maple	<i>Acer Rubrum "Autumn Flame"</i>
Black Maple	<i>Acer Nigrum</i>
Paperbark Maple	<i>Acer Griseum</i>
Red Sunset Red Maple	<i>Acer Rubrum "Red Sunset"</i>
Striped Maple	<i>Acer Pennsylvanicum</i>
Sugar Maple	<i>Acer Saccharum</i>
Tilford Red Maple	<i>Acer Rubrum "Tilford"</i>
Trident Maple	<i>Acer Buergerianum</i>
Oak	
Bur Oak	<i>Quercus Macrocarpa</i>
Chestnut Oak	<i>Quercus Prinus</i>
Chinkapin Oak	<i>Quercus Muehlenbergii</i>
English Oak	<i>Quercus Robur</i>
Laurel Oak	<i>Quercus Hemisphaerica</i>
Pin Oak	<i>Quercus Palustris</i>
Post Oak	<i>Quercus Stellata</i>
Red Oak	<i>Quercus Borealis</i>
Scarlet Oak	<i>Quercus Coccinea</i>
Shingle Oak	<i>Quercus Inbricaria</i>

Shumard Oak	<i>Quercus Shumardii</i>
White Oak	<i>Quercus Alba</i>
Common Alder	<i>Alnus Glutinosa</i>
Golden Raintree	<i>Koelreuteria Paniculata</i>
London Plane Tree	<i>Platanus x Acerifolia</i>
Redbud	
Eastern Redbud	<i>Cercis Canadensis</i>
Forest Pansy Redbud	<i>Cercis Canadensis "Forest Pansy"</i>
Katsura Tree	<i>Cercidiphyllum Japonicum</i>
Blackgum	<i>Nyssa Sylvatica</i>
Bald Cypress	<i>Taxodium Distichum</i>
Kentucky Coffeetree	<i>Gymnocladus Dioica</i>

EXHIBIT “K”

SUBDIVISION CONTROL ORDINANCE

6.19(H)(1)(c) General Drainage Standards: Detention Facility Specifications – CURRENT LANGUAGE

- c. *Easements:* All detention facilities shall be encircled with a drainage easement measuring a minimum of 20 feet from the top of bank. An additional easement meeting the requirements of the City Engineer shall be provided as a staging area for vehicles and equipment required for periodic maintenance. Additional easements may also be required by the City Engineer to accommodate spillways and to provide for adequate access under emergency conditions.

6.19(H)(1)(c) General Drainage Standards: Detention Facility Specifications – PROPOSED LANGUAGE

- c. *Easements:* All detention facilities shall be encircled with a drainage easement measuring a minimum of 20 feet from the top of bank. When the detention facility is located in a common area, the drainage easement must be located entirely within the limits of the common area. An additional easement meeting the requirements of the City Engineer shall be provided as a staging area for vehicles and equipment required for periodic maintenance. Additional easements may also be required by the City Engineer to accommodate spillways and to provide for adequate access under emergency conditions.