

## **Chapter 742. Districts;**

### **Article II. Secondary Districts**

[new section to add]

#### **Section 07. Transit Oriented Development Secondary Zoning District (TOD)**

##### **A. Applicability**

With the exception of legally established nonconforming uses, no land, building, structure, premises or part thereof shall be used or occupied except in conformity with these regulations and for uses permitted by this Section. In the case of any difference of regulations between this Section 742-207 and the regulations of the Primary Zoning District, the provisions of this section shall control. Except as modified by this Section 742-207, all development standards as required by the Primary Zoning District shall apply.

The Transit Oriented Development Secondary District is established as all lots within 1,000' of a BRT Line established on the effective date of this section as depicted on the map in **Figure ### [insert map]**., except the following property in this area are not subject to the standards in 742.207:

1. Any property with D- district zoning;
2. Any property with CBD- district zoning;
3. Any property with I- district zoning; and
4. All lots located within any locally designated historic preservation areas as established by, and under the jurisdiction of, the Indianapolis Historic Preservation Commission (IHPC),

##### **B. Intent & Design Objectives**

The intent of the Transit Oriented Development (TOD) Secondary District is to coordinate more compact, walkable and urban development patterns with public investment in the transit system. These development patterns ensure that walking and biking are viable options for short trips and transit is a priority for longer trips. Development patterns and site designs that prioritize automobile travel undermine these public and private investments. This district follows the policies and principles of the comprehensive plan, the transit-oriented development strategic plans, and the Livability Principles in this code, and has the following specific design objectives:

1. Place a wide range of housing types within walking distance of commercial centers and transit stops or stations, and at a critical mass that supports these places.
2. Create connections through many different modes of transportation between neighborhoods and places for commercial services and employment
3. Provide a concentration of many different and small-scale uses with a fine-grained pattern that integrates and transitions well with the neighborhoods they support.
4. Ensure human-scale design that prioritizes relationships of sites and buildings to the streetscapes.

##### **C. Approvals**

Development in the TOD Secondary District may be approved in the following manner:

1. Projects that meet all development and design standards in this code, other than those uses in a special use district, may be approved by the Division of Planning of the Department of Metropolitan Development.
2. Projects requesting relief from the use or development standards require approval by the Board of Zoning Appeals, in addition to all other approvals that may otherwise apply.

## D. Use Limitation

In addition to any use allowances, limitations or prohibitions in the base zoning districts, uses in the TOD Secondary district shall be further limited as specified in this section.

1. **Commercial and Industrial Uses, Generally.** Commercial and Industrial Uses permitted in any primary District shall be limited by scale of the use in the TOD Secondary District as follows. Retail Sales / Services shall cover any Commercial and Industrial Use enabled in the primary district, unless it is more specifically described in the table below:

TABLE 742 – 707-1 Commercial & Industrial Use Limitations							
	C-1	C-3	C-4	C-5	MU-2	MU-3	MU-4
Micro-Retail Sales / Service (under 1,000 s.f.)	P	P	P	P	P	P	P
Small Retail Sales / Service (1,001 to 3,000 s.f.)	P	P	P	P	P	P	P
Medium Retail Sales / Service (3,001 to 8,000 s.f.)	P	P	P	P	S	P	P
Large Retail Sales / Service (8,000 to 20,000 s.f.)		S	P	P		S	P
Extra Large Retail Sales / Service (20,001+ s.f.)			S	S			S
Small Grocery Store (under 10,000 s.f.)	P	P	P	P	P	P	P
Medium Grocery Store (10,001 – 30,000 s.f.)	S	P	P	P	S	P	P
Large Grocery Store (30,001 – 50,000 square feet)			S	S		S	S
Super Market Grocery Store (50,0001 + square feet)				S			S
Office – Small (under 10,000 square feet)	P	P	P	P	P	P	P
Office – Medium (10,0001 to 50,000 square feet)		P	P	P	S	P	P
Office – Large (50,001+ square feet)			S	P		S	P
Lodging – Bed and Breakfast (under 5 Rooms)	P	P	P	P	P	P	P
Lodging – Inn (6 to 20 rooms)		P	P	P		P	P
Lodging – Small Hotel (21 to 100 rooms)			P	P		S	P
Lodging – Large Hotel (101 + rooms)				S			P

2. **Location and Limitation of Specific Uses.** The following uses in their typical form or format, and when concentrated in areas have a detrimental effect on the intent and design objectives of the Transit Oriented Development Secondary District. Where these uses are enabled by the primary zoning district, they shall be further limited in the TOD Secondary District as stated in Table 742-707-2. Each use remains subject to all other form, format and design standards found in Section 744.702 Commercial and Mixed Use Design Standards.

TABLE 742 – 707-2 Location and Limitation of Specific Uses	
Use Type	Specific Restrictions
Automobile Fueling Station	<ul style="list-style-type: none"> <li>• Within 600' of a Transit Station - Prohibited</li> <li>• Greater than 601' from a Transit Station- Limited to no more than 8 pumps / service areas.</li> </ul>
Automobile and Light Vehicle Wash	<ul style="list-style-type: none"> <li>• Prohibited as primary use.</li> <li>• Limited to an accessory use to automobile fueling station, but each car wash station counts as a pump / service area.</li> </ul>
Automobile, Motorcycle, and Light Vehicle Service or Repair	<ul style="list-style-type: none"> <li>• Pedestrian Frontages - Prohibited</li> <li>• Where otherwise permitted - Limited to lots no larger than 0.5 acres.</li> </ul>
Automobile, Motorcycle, and Light Vehicle Sales or Rental	<ul style="list-style-type: none"> <li>• Within 600' of a transit station and on Pedestrian Frontages - Prohibited</li> <li>• Where otherwise permitted - Limited to lots no larger than 0.5 acres.</li> </ul>

<b>TABLE 742 – 707-2 Location and Limitation of Specific Uses</b>	
<b>Use Type</b>	<b>Specific Restrictions</b>
Drive Through Accessory Uses	<ul style="list-style-type: none"> <li>• Within 600' of a Transit Station – Prohibited, except where located behind the building and all access provided by alleys.</li> <li>• Greater than 601' from a Transit Station – Prohibited, except where located behind or to the side of the building and all access is provided by alleys, or off of a Buffer Frontage.</li> </ul>
Mini Warehouse (Self Storage Facilities)	<ul style="list-style-type: none"> <li>• Within 600' of a Transit Station, or on Pedestrian Frontages - Prohibited</li> <li>• Where otherwise permitted - Limited to lots of 0.5 acres or less, and all facilities, operations and access to individual storage units shall be inside a building meeting all applicable form, format and design standards.</li> </ul>
Commercial Parking (Principal Use)	<ul style="list-style-type: none"> <li>• Throughout TOD Secondary District - Limited to Garages, with no access permitted from Pedestrian Frontages.</li> </ul>

Any use otherwise permitted by these standards shall be required to meet all form and design standards applicable to a particular location. For example, an Automobile Fueling Station within the parameters specified in the table that is located in a C-district and on a Pedestrian Frontage, shall be required to meet the C-district standards, and the Pedestrian Frontage Type building and design standards, in addition to the limits of this table.

**E. Additional Development Standards.**

1. *Mixed-Use Districts.* All MU-districts in the TOD Secondary District shall meet the Mixed-use and Commercial Design Standards in Section 744.702.
2. *Commercial Districts.* All C-districts in the TOD Secondary District shall meet the Mixed-use and Commercial Design Standards in Section 744.702.
3. *Regional Center.* All lots in the RC Secondary District governed by Section 742.202 are subject to the Regional Center Design Guidelines.