

AVON ZONING ORDINANCE

CHAPTER 7. REVISION HISTORY

CHAPTER 7. DISTRICTS AND BOUNDARIES

Ordinance #	Plan Commission Approval Date	Town Council Adoption Date	Description
2002-14	09-24-02	11-14-02	Adoption of Chapter 7.

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CHAPTER 7. DISTRICTS AND BOUNDARIES

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Section 7-1. Establishment of Districts.

In order to classify, regulate and restrict the location of specified uses, and to regulate and limit the height and bulk of buildings for those uses, the Town of Avon, Indiana, is hereby divided into the following districts.

1. Residential Districts

- A. E-1 Single Family Estate District
- B. R-1 Single Family Residential District
- C. R-2 Single Family Residential District
- D. R-3 Single Family Residential District
- E. R-4 Multiple Family Residential District
- F. R-5 Multiple Family Residential District

2. MH-1 Mobile Home Park District

3. Commercial Districts

- A. C-1 Neighborhood Commercial District
- B. C-2 General Commercial District
- C. C-3 Highway Commercial District
- D. C-4 Transitional Office District

4. SC Shopping Center Commercial District

5. Industrial Districts

- A. I-1 Transitional Industrial District
- B. I-2 Light Industrial District
- C. I-3 Heavy Industrial District
- D. I-4 Industrial Park District

6. Other Districts

- A. Planned Unit Development Districts
- B. AGO-1 Agricultural Overlay District

Section 7-2. Interpretation of District Sequence

1. General Rule

This Ordinance rejects as outdated and inappropriate, the concept of cumulative zoning districts, where each district builds off of the uses of the less intense districts. Except as noted below, this Ordinance is based on the concept that each district should be designed to accomplish a specific purpose, to encourage a particular type of development, and to protect that development from being encroached upon by incompatible types of development.

2. Special Rule

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Within the foregoing philosophy, however, it is recognized that, when different districts are side by side, their differing characters may require special treatment to diminish incompatibilities that might otherwise result. For this limited purpose, this Ordinance recognizes the concept of "more restrictive" and "less restrictive" districts, and the districts established by this Ordinance shall be considered "more restrictive" or "less restrictive" in accordance with the following rules:

- A. the residential districts shall be deemed to be more restrictive than any nonresidential district;
- B. the E-1 Single Family Residential District shall be deemed to be the most restrictive residential district and the R-5 Multiple Family Residential District shall be deemed to be the least restrictive Residential District, and the residential districts shall be deemed to become less restrictive as the district number increases;
- C. the MH-1 Mobile Home Park District shall be more restrictive than any nonresidential district but less restrictive than any residential district;
- D. the commercial districts shall be deemed to become less restrictive as the district number increases except that the C-4 Transitional Office District shall be deemed more restrictive than the C-2 General Commercial District but less restrictive than the C-1 Neighborhood Commercial District;
- E. the SC Shopping Center Commercial District shall be deemed to be less restrictive than the other commercial districts but more restrictive than the industrial districts;
- F. the Planned Unit Development Districts shall be deemed to stand alone and may be fashioned to be less or more restrictive than other districts;
- G. the industrial districts shall be deemed to become less restrictive as the district number increases except that the I-4 Industrial Park District shall be deemed more restrictive than the I-2 Light Industrial District but less restrictive than the I-1 transitional Industrial District; and
- H. the I-3 Heavy Industrial District shall be deemed to be less restrictive than any other district.

Section 7-3. Annexed Land

Where land is to be annexed into the Town of Avon, the Town Council may direct the Plan Commission to make a recommendation on the appropriate zoning district classification for the property that the Council is considering for annexation. In such circumstances, the Plan Commission shall follow the process for amendments to the Zoning Map set forth in Chapter 4, Section 4-6 of this Ordinance. Town Council action on the Plan Commission's recommendation shall be scheduled in conjunction with the Town Council's adoption of the annexation ordinance.

1. Should the Town council annex land without adopting an amendment to the Zoning Map establishing the appropriate zoning district classification for the property, the property shall retain the zoning classification assigned to it by Hendricks County, as shown on its Official Zoning Map. If the Avon Zoning Ordinance does not have the same zoning classification as Hendricks County, the property will have the zoning district classification of the Avon Zoning Ordinance that is the closest to the classification assigned to it by Hendricks County. The Zoning Administrator shall be responsible for identifying the zoning district classification for property annexed under this paragraph.

Section 7-4. Official Zoning Map

1. Map Incorporated

The location and boundaries of the zoning districts established by this Ordinance shall be shown on the Official Zoning Map. The Official Zoning Map shall be identified by certification by and bearing the seal of the Town of Avon under the following words:

“THIS IS TO CERTIFY THAT THIS IS THE OFFICIAL ZONING MAP REFERRED TO IN CHAPTER 7 OF ORDINANCE #2002-14 OF THE TOWN OF AVON, INDIANA, ADOPTED ON THE 14th DAY OF NOVEMBER 2002.”

Certification shall be by the signature of the President of the Town Council, and attested by the

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Clerk-Treasurer.

2. Omitted Land

It is the intent of this Ordinance that the entire area of the Town of Avon, including all land and water areas, be included in the districts established by this Ordinance. Any area lying within the Town but not shown on the Official Zoning Map as being included in a district shall be deemed to be, and is hereby classified as being, within the E-1 Single Family Residential District.

3. Maintenance and Availability of Official Zoning Map

The official copy of the Zoning Map shall be maintained by the Zoning Administrator and shall be available for public inspection during Town business hours at the Town Hall.

4. Amendments to Map

Changes to zoning district boundaries or any change in any other information shown on the Zoning Map made by amendment to this Ordinance shall be indicated on the Official Zoning Map promptly after adoption. The date of such amendment shall also be shown on the Official Zoning Map, as well as the signature of the President of the Plan Commission and attested by the Secretary of the Plan Commission. No amendments shall be made on the Official Zoning Map except in conformance with procedures set for in Chapter 4, Section 4-6 (Amendments).

5. Reproduction of Zoning Map

A revised, up-to-date copy of the official Zoning Map, certified as being inclusive of all amendments and drawn to a convenient scale, shall be published from time to time and made available for sale.

6. Replacement of the Official Zoning Map

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Town Council may, by resolution, adopt a new Official Zoning Map that shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting errors or other errors or omissions in the prior Official Zoning Map, but no correction shall have the effect of amending the Official Zoning Map. The new Official Zoning Map shall be identified by the signature of the President of the Town Council and attested by the Clerk-Treasurer and shall bear the seal of the Town of Avon under the following words:

“THIS IS TO CERTIFY THAT THIS OFFICIAL ZONING MAP SUPERSEDES AND REPLACES THE OFFICIAL ZONING MAP ADOPTED ON THE 14th DAY OF NOVEMBER 2002 BY ORDINANCE #2002-14 OF THE TOWN OF AVON, INDIANA, ADOPTED ON THE __ DAY OF _____ 200_.”

Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

Section 7-5. Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply.

1. Boundaries indicated as approximately following the centerline of thoroughfares or highways, street lines or highway right-of-way lines, or alleys shall be construed to follow such centerlines.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as approximately following Town limits shall be construed as following

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such Town limits.

4. Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks.
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of a change in the shore line, shall be construed as moving with the actual shore line.
6. Boundaries indicated as approximately following the centerline of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
7. Boundaries indicated as approximately following floodplain lines shall be construed to follow floodplain lines.
8. Boundaries indicated as parallel to or extensions of features indicated in subparagraphs above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale on the Map.
9. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by the subparagraphs above, the Board of Zoning Appeals shall interpret the location of district boundaries.