

3.10 ROW Overlay *District*

A. Purpose

The purpose of this Overlay *District* is to regulate items which could be placed or constructed within the *Rights-of-way* lying wholly or partially within the jurisdictional area of the Town of Plainfield as a means of:

1. Ensuring the health, safety, and welfare of those using the *rights-of-way*, whether they are in or utilizing a vehicle or are pedestrians.
2. Ensuring that essential public and/or private utility infrastructure are not damaged or hampered by the construction of new utility infrastructure.
3. Minimizing the visual clutter to the extent that it is possible to ensure that greater attention can be given to navigating the *rights-of-way* safely.
4. Restricting items placed within the *rights-of-way* to those which are deemed to serve a public benefit.

B. Applicability

The ROW Overlay *District*, which shall apply to all *Rights-of-way* lying wholly or partially within the jurisdictional area of the Town, as amended from time to time.

If the provisions in this ROW Overlay *District* are inconsistent with one another or conflict with provisions found in other adopted codes and regulations of the Town, the more restrictive provision, as determined by the *Director*, shall control unless otherwise expressly provided.

C. Restrictions

No *Structure* shall be constructed within the ROW Overlay *District* that exceeds forty (40) feet in height above grade.

D. Permitted Uses

1. *Primary Uses* –

Public Facilities

Bus shelter: A roofed structure caused to be erected, maintained, and managed by or on behalf of the Central Indiana Regional Transportation Authority (CIRTA), the Town of Plainfield, and/or the Plainfield North and South Economic Improvement Districts, to provide temporary shelter for public transit riders.

E. Standards

1. Location
 - a. The bus shelter may encroach into the Right-of-way, but must comply with the Americans with Disabilities Act.
 - b. A bus shelter should be situated near the front end of the stop zone to minimize passenger walk distances to embark.
 - c. Bus shelters should be located at least one hundred (100) feet from an intersection measured mid-radius from the intersection curb, subject to Master Plan review.
 - d. Bus shelter locations shall comply with Plainfield Zoning Ordinance Article 4.14: Vision Clearance.
2. Design
 - a. Shelter
 - 1) The shelter should be constructed of durable, architecturally sound materials to withstand heavy use and continual exposure to the elements. The shelter should have a roof and be enclosed on at least two (2) sides to provide a screen.
 - 2) The shelter must provide a clear view of the approaching bus and bus loading pad.
 - 3) The shelter opening should be oriented toward the passenger maneuvering area.
 - 4) A minimum six (6) inch roof overhang should be provided over the opening.
 - 5) The shelter canopy should be waterproof with provisions for drainage away from passenger seating and bus loading sites
 - 6) When benches are placed inside a shelter, the shelter must have a clear floor space of 36 inches by 48 inches for persons in wheelchairs.
 - 7) Shelter screens should keep a minimum six (6) inch vertical clearance to avoid the collection of trash and debris.
 - 8) The shelter roof shall not have less than seven and one-half (7 ½) feet of vertical clearance and it shall not exceed ten (10) feet in height.

b. Loading pad/Alighting Area

- 1) Front. A five (5) foot wide by eight (8) foot deep firm, stable, and slip resistant area adjacent to the front door of the bus. The bus stop location marker should be located adjacent to this loading pad.
- 2) Rear. A five (5) foot wide by eight (8) foot deep firm, stable, and slip resistant area adjacent to the front door of the bus. This should be located in the area where the rear door or rear wheelchair lift would typically be located when the bus stops.
- 3) All above ground obstacles must be kept out of the loading pad/alighting areas.

c. Passenger Maneuvering Area

- 1) A minimum four (4) foot deep area for the maneuvering of passengers between the bus shelter and the loading pad(s) shall be provided. This area shall be firm, stable, and suitable for wheelchair users.
- 2) If not connected to an existing sidewalk, a minimum four (4) wide connection must be extended to the nearest sidewalk.
- 3) At least three (3) feet wide path must be kept clear around all street furniture and building elements within the passenger maneuvering area.

d. Furniture

All street furniture should maintain adequate horizontal clearance for access and maintenance.

Furniture must be anchored securely to prevent unauthorized movement, but must be able to be relocated or replaced by those authorized to maintain.

Consideration should be given to both the aesthetic appeal and durability in selecting the furniture.

- 1) Bench
 - a) Benches shall be handicap accessible
 - b) Benches should be placed facing the street and outside of passenger maneuvering areas.

- c) Benches should have anti-vagrant bars or another deterrent as a part of the design.
 - d) Benches should be ADA-compliant in dimension and construction.
3. ADA Compliance and Restrictions
- a. While due diligence and care to ensure that these standards comply with ADA requirements has been exercised, when regulations conflict or the ADA requirements are revised, the ADA requirements shall take precedent.
 - b. The smoking of any type or product or apparatus shall be prohibited inside a bus shelter. Smoking shall be conducted at least eight (8) feet from the entrance of a bus shelter in compliance with IC 7.1-5-12.
4. Signs and other Identification– An overall Identification Program (which includes the general number, size, type and location of *Signs* and other transit information) shall be submitted for approved by the *Plan Commission* as part of an approved Right-of-Way Use Master Plan.

General rules for all signs and identification

- a. Signs and Identification shall not move or rotate, shall not include either electronic or mechanical changeable copy, and shall not flash or otherwise turn any illumination on and off repeatedly.
- b. May be double sided.
- c. Shall not be placed in a manner that blocks the vision of either passengers waiting within the bus shelter of approaching buses or the driver of the interior of the bus shelter.
- d. Shall comply with Article 7.3: Prohibited Signs of the Town of Plainfield Zoning Ordinance.

Signage and other Identification shall include, but not be limited to:

- a. Bus Stop location marker. A marker, four (4) square feet in size or less, affixed to a pole. Information should include, but is not limited to: route, unique bus stop identifier (if available), service provider contact information,

To ensure avoidance of conflict with the passenger maneuvering area and bus operational area, the following the marker shall have the following clearances:

- 1) At least seven (7) feet of vertical clearance above grade;

- 2) At least three (3) feet of horizontal clearance behind the back of curb; and,
 - 3) At least two (2) feet of horizontal clearance from both the passenger maneuvering area and the bus loading/alighting area
- b. Timetable case. A case, four (4) square feet in size or less, affixed to the back wall of the shelter that provides information on the route, stops, and arrival/departure times.
 - c. Advertising sign. Two types of advertising signs are available.
 - 1) Shelter Wall. A sign, twenty (20) square feet or less, that must be affixed to either the interior or exterior wall of the shelter. This sign may be internally illuminated.
 - 2) Bench. A sign affixed to the back rest of the bench that is no larger than the back rest of the bench. The sign may be affixed to the front and back of the bench and may not be illuminated. This type of sign is permitted only on one bench and the bench must be within an approved shelter.
 - 3) Advertising Sign Plans shall be approved by the Plainfield Plan Commission upon administrative review of an Improvement Location Permit (ILP).
5. Bus Stop identification marker. A marker, four (4) square feet in size or less, affixed to the side of the bus shelter from which the bus will approach that provides either the name or location of the Bus Stop. The identification sign should be reflective to increase visibility at night. The font shall be Arial + and each bus stop shall have the Plainfield “P” logo attached as selected from the *Town of Plainfield Graphics Standards*.
 6. Lighting

Dusk-to-dawn lighting shall be provided inside bus shelters utilizing LED lighting with photovoltaic cells when applicable.
 7. Landscaping

Landscaping near the passenger boarding area is encouraged to maximize passenger comfort, but back far enough from the back of curb so as not to interfere with the bus. All landscaping shall be carefully located so as not to obstruct the shelter canopy, obscure sight lines at the stop, or interfere with the maintenance of the shelter and furniture. Shade trees are desirable. Landscaping shall be submitted for approval by the *Plan Commission* as part of an approved Right-of-Way Use Master Plan.

F. Master Plan Approvals

1. Procedure

Notwithstanding anything in this Ordinance to the contrary, unless filed as part of a petition for zone map change, a Right-of-Way Use Master Plan shall be filed as a *Development Plan* under same procedures as set forth in Article 5.8 of this Ordinance for Architectural and Site Design Review.

Right-of-Way Use Master Plans shall be approved in the following manner:

a. Approval of Right-of-Way Use Master Plans.

The following shall be deemed to be approved Right-of-Way Use Master Plans:

- 1) A Right-of-Way Use Master Plan submitted for *Plan Commission* review as part of a *Development Plan*.

b. Phases.

A Right-of-Way Use Master Plan may be submitted as follows:

- 1) Right-of-Way Use Master Plan approvals may be obtained for a total project at one time or in phases. Phases may include physical areas of development (i.e., portions of an overall site) or elements of a development (i.e., *Building elevations*, a *Sign* program, landscaping, parking, etc.).
- 2) If phases are of physical areas of development, the initial phase shall be depicted on an *Overall Plan* for the entire site. As the approval of each subsequent phase is requested, an updated *Overall Plan* which incorporates the prior approved phases and the proposed phase shall be required.
- 3) Any initial Right-of-Way Use Master Plan or subsequent phases of approval may include a request for waivers as authorized by Article 3.10, F., 6. below.

2. Applicability

New Right-of-Way Uses – A Right-of-Way Use Master Plan shall be approved by the *Plan Commission* prior to the development of a new Right-of-Way use.

- a. Bus Shelter Expansions – An increase in the size of a bus shelter created by the increase in ridership at specific bus stops can be done administratively subject only to *Director's* review of an Improvement Location Permit (ILP) application for compliance with the provisions of Article 3.10.
- b. Amendments – Amendments to Right-of-Way Use Master Plans shall be determined in compliance with the process outlined in Article 5.8, E., 3., applicable to Commercial / Industrial Development within 600' of a Residential *District*.
- c. Secondary Review – Compliance with Master Plan shall be determined for each project as approved with the Master Plan through the *Improvement Location Permit* process.

3. Findings

The *Plan Commission* may approve a *Development Plan* for Architectural and Site Design Review as proposed by a Right-of-Way Use Master Plan upon finding that:

- 1) the *Development Plan* complies with all applicable *Development Standards* of ROW: Right-of-Way Overlay District for which a waiver has not been granted;
- 2) the *Development Plan* complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted;
- 3) the proposed development is consistent with the *Comprehensive Plan*;
- 4) the proposed development is appropriate to the site and its surroundings; and,
- 5) the proposed development is consistent with the intent and purpose of this Ordinance.

4. Waivers

In order to encourage creativity in the design of facilities in the rights-of-way within the Town of Plainfield, the *Plan Commission* may grant a waiver of any of the *Development Requirements* specified in this Article 3.10, E., for: Maximum *Building Height*; *Signs*; Landscaping; Lighting; and *Building Materials*, upon finding that the proposed right-of-way use development:

- 1) Represents an innovative and appropriate development of a municipal use, including site design features, *Building* materials, lighting and landscaping which will enhance the use or value of area properties and the safety and functionality of the municipal use;
- 2) Is consistent with and compatible with development located in the immediately surrounding area; and,
- 3) Is consistent with the intent and purpose of this Ordinance.

5. Exceptions

In situations where bus shelters are unable to be located within the ROW Overlay District because of circumstances such as utility conflicts or lack of right-of-way, bus shelters and locations may be approved with administrative approval of an *Improvement Location Permit* (ILP) by the Plainfield Plan Commission as allowed by Article 4.1 of the Plainfield Zoning Ordinance and in full compliance with development and design standards of this Article.