

5.4 Development Incentives for All Commercial and Industrial Districts (except the TC: Town Center District).

The following *Development Incentives* are provided in order to encourage flexibility and creativity in the design of commercial and industrial sites.

All *Development Plans* which utilize the *Development Incentives* specified below in the Commercial or Industrial *Districts* shall be filed for review and approval by the *Plan Commission* or the *Director*, as specified below.

A. Development Requirements.

Each commercial or industrial site shall demonstrate compliance with all applicable *Development Standards* of the Commercial or Industrial *District* in which the *Lot* is located and all applicable provisions of the Subdivision Control Ordinance for which a waiver is not otherwise provided for in this Article.

B. Waiver of Development Requirements in Commercial or Industrial Districts.

1. Common Off-Street Parking Areas.

a. Purpose.

To encourage desirable, efficient and well planned and landscaped *Off-Street Parking Areas*, two or more uses may create a common parking area. Such common *Parking Areas* shall be eligible for up to a ten percent (10%) reduction in the overall number of required *Parking Spaces*.

b. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval for Common *Off-Street Parking Areas* pursuant to this Article shall include the following:

(1) Sketch Plan One.

Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.

(2) Sketch Plan Two.

Sketch Plan Two shall depict the development pursuant to this Article.

(3) A Site Plan and Overall Plan as specified in Article 5.7, below.

c. Findings.

The *Director* may approve such parking reduction upon a finding that:

- (1) the proposed common parking area employs improved design elements in Access control, traffic circulation or landscaping than otherwise required by the provisions of this Ordinance.

2. Alternate Parking Plan Approval.

a. Purpose.

To encourage desirable, efficient and well planned and landscaped *Off-Street Parking Areas*, the *Director* may approve an alternative parking plan which deviates from the requirements of this Ordinance.

b. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval for Alternate Parking Plan Approval pursuant to this Article shall include the following:

(1) Sketch Plan One.

Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.

(2) Sketch Plan Two.

Sketch Plan Two shall depict the development pursuant to this Article.

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- (3) A Site Plan as specified in Article 5.7, below.
- c. Findings.
The *Director* may approve such alternative parking plan upon finding that such parking layout:
 - (1) is appropriate to the site and its surroundings;
 - (2) makes provision for small car *Parking Areas*, angled parking, one-way traffic patterns, handicapped parking or other feature appropriate for the use and setting; and
 - (3) is consistent with the intent and purpose of this Ordinance.
3. Depth of Required *Yards* and Required *Bufferyards*.
 - a. Purpose.
In order to facilitate urban development and improve quality of landscaping in the built environment, the depth of a required *Yard* or a required *Bufferyard* may be reduced as follows:
 - (1) A required *Front Yard* or front *Bufferyard* may be reduced by up to fifty (50) percent of its normally required depth, provided, however, that any required *Front Yard* or front *Bufferyard* along a *Primary Arterial Street*, *Secondary Arterial Street*, *Collector Street*, *Local Street* or *Cul-de-sac Street* shall not be reduced to a depth of less than twenty (20) feet; or
 - (2) A required *Side* or *Rear Yard* or required side or rear *Bufferyard* may be reduced by up to fifty (50) percent of its normally required depth.
 - b. Plan Documentation and Supporting Information.
All requests for *Development Plan* Approval for reduction of Depth of Required *Yards* and Required *Bufferyards* pursuant to this Article shall include the following:
 - (1) *Sketch Plan One*.
Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.
 - (2) *Sketch Plan Two*.
Sketch Plan Two shall depict the development pursuant to this Article.
 - (3) A Site Plan and Landscape Plan as specified in Article 5.7, below.
 - c. Findings.
The *Director* may approve such Depth of *Yard* and Required *Bufferyard* reduction upon a finding that:
 - (1) the *Plant Unit Value* to be provided in the required *Yard* or required *Bufferyard* exceeds the normal standard for such *Yard* by a multiple of 2.0 or more; or for any *Building* wall which is located completely or partially within a reduced *Yard* or *Bufferyard*, the entire length of such *Building* wall shall be screened by foundation landscaping which has been increased by a multiple of 2.0 or more, and the site will be so designed and *Building* placement so oriented that all *Parking Areas*, *Interior Access Drives*, *Loading Areas*, *Outside Storage* and operations, or outdoor display areas shall be located so as to comply with the minimum *Setback* requirements, Use of *Minimum Yards* and *Bufferyards* requirements, and landscaping requirements otherwise applicable to the site;
 - (2) the proposed development is appropriate to the site and its surroundings; and
 - (3) the proposed development is consistent with the intent and purpose of this Ordinance.
4. Orientation of *Loading Spaces*.
 - a. Purpose.
In order to facilitate urban development and to enhance the quality of landscaping in the built environment, the *Plan Commission* may approve the orientation of *Loading Spaces* toward a *Front Lot Line* that faces a *Street* classified as a *Collector* or above

or non-industrial *District*. In addition, the *Plan Commission* may approve the location of *Loading Spaces* between a *Front Lot Line* that is located along a *Street* classified as a *Collector* or above or a *Street* bordering directly on a non-industrial *District* and the front line of the *Building* served.

b. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval for the front Orientation or Location of *Loading Spaces* pursuant to this Article shall include the following:

(1) *Sketch Plan One*.

Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.

(2) *Sketch Plan Two*.

Sketch Plan Two shall depict the development pursuant to this Article.

(3) A Site Plan and Landscape Plan as specified in Article 5.7, below.

c. Findings.

The *Plan Commission* may approve such *Loading Space* orientation or location upon a finding that:

- (1) the required *Front Yard* or required front *Bufferyard* is effectively screened with a *Plant Unit Value* which exceeds the standard for such *Yard* by adding a *Plant Unit Value* of 4.0 to the total *Plant Unit Value* otherwise required by this Ordinance or other *Development Incentive* (e.g., a *Plant Unit Value* of 5.0 would be required as a base minimum [Level 1 + 4.0 = 5.0]; or, a *Plant Unit Value* of 6.0 would be required if another *Development Incentive* would require a multiple of 2.0 or more over a Level 1 [Level 1 X 2.0 = 2.0 + 4.0 = 6.0]; and, so on); or the required *Front Yard* or required front *Bufferyard* is effectively screened by the use of an architectural wall or screen which is in harmony with the character of the *Building* and surrounding area and of sufficient height to screen the *Loading Spaces*, that said *Yards* will contain, at a minimum, the standard *Plant Unit Value* required for said *Yard*, and that the architectural wall or screen shall be provided with foundation plantings as required for a *Building* in such *District*;
- (2) the proposed development is appropriate to the site and its surroundings; and
- (3) the proposed development is consistent with the intent and purpose of this Ordinance.

5. Use of Required *Yards* in *Integrated Centers* or Industrial Parks.

a. Purpose.

In order to facilitate urban development and to enhance the quality of landscaping in the built environment, the *Plan Commission* may approve the use of required side and *Rear Yards* which abut other required side or *Rear Yards* of *Lots* located within the same *Integrated Center* or *Industrial Park* for *Parking Areas*, *Loading Areas*, *Interior Drives*, *Interior Access Drives*, or *Outdoor Storage*.

b. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval for the Use of Required *Yards* in *Integrated Centers* or *Industrial Parks* pursuant to this Article shall include the following:

(1) *Sketch Plan One*.

Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.

(2) *Sketch Plan Two*.

Sketch Plan Two shall depict the development pursuant to this Article.

(3) A Site Plan, Overall Plan and Landscape Plan as specified in Article 5.7, below.

c. Findings.

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The *Director* may approve such use of required side and *Rear Yards* upon finding that:

- (1) the required *Plant Unit Value* in all required *Front Yards* and required front *Bufferyards*, whether located on a *Street* internal to the *Integrated Center* or *Industrial Park* or on the perimeter of the *Integrated Center* or *Industrial Park* has been increased by a multiple of 2.0 or more;
- (2) the required *Plant Unit Value* in all required side or *Rear Yards* and required side or rear *Bufferyards* on the perimeter of the *Integrated Center* or *Industrial Park* has been increased by a multiple of 2.0 or more;
- (3) the area of required foundation planting areas located along the *Building* has been increased by a multiple of 2.0 or more;
- (4) the *Plant Unit Value* contained in such enlarged foundation planting areas has been increased by a multiple of 2.0 or more;
- (5) the proposed development is appropriate to the site and its surroundings; and
- (6) the proposed development is consistent with the intent and purpose of this Ordinance.

6. *Private Streets* in *Integrated Centers* or *Industrial Parks*.

a. Purpose.

In order to encourage desirable, efficient and well planned *Integrated Centers* and *Industrial Parks*, the *Plan Commission* may approve *Lot* frontage on *Private Streets* on the interior of an *Integrated Center* or *Industrial Park*.

b. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval for the development of *Private Streets* in *Integrated Centers* or *Industrial Parks* pursuant to this Article shall include the following:

(1) *Sketch Plan One*.

Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.

(2) *Sketch Plan Two*.

Sketch Plan Two shall depict the development pursuant to this Article.

(3) An Overall Plan as specified in Article 5.7, below.

c. Findings.

The *Plan Commission* may approve such *Private Streets* upon finding that:

- (1) such *Private Streets* shall be constructed to *Town Standards* for depth and materials;
- (2) adequate provisions have been made for the maintenance of such *Private Streets* and for the provision of services along the *Private Streets* by the owner or owners thereof. Services shall, include, but not limited to: regular trash pick-up; leaf pick-up; snow removal; daily mail delivery service; roadway maintenance and repair, including, but not limited to, driving surface, roadway subgrade, subsurface drainage, roadside drainage, curbs, sidewalks, *Street* lights, *Street* name signs, traffic control signs, and traffic control signals; and, powers to enforce speed control and parking regulations;
- (3) the use of *Private Streets* results in design elements in *Access* control and traffic circulation consistent with the intent and purpose of this Ordinance;
- (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.

7. Depth of *Yards* Along *Private Streets* in *Integrated Centers* or *Industrial Parks*.

a. Purpose.

In order to encourage desirable, efficient and well planned *Integrated Centers* and *Industrial Parks*, the *Plan Commission* may approve a reduction in the depth of the

required *Front Yard* along *Private Streets* of up to fifty (50) percent in *Integrated Centers* or *Industrial Parks*.

b. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval for the reduction of required Depth of *Yards Along Private Streets* in *Integrated Centers* or *Industrial Parks* pursuant to this Article shall include the following:

(1) *Sketch Plan One*.

Sketch Plan One shall depict the development in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.

(2) *Sketch Plan Two*.

Sketch Plan Two shall depict the development pursuant to this Article.

(3) An Overall Plan, Landscape Plan and Sign Plans as specified in Article 5.7, below.

c. Findings.

The *Director* may approve such reduction of required *Front Yard* depth along *Private Streets* upon finding that:

(1) the required *Plant Unit Value* in all required *Front Yards* along such *Private Street* been increased by a multiple of 2.0 or more; or

adequate provision has been made for the development of common or combined driveways between adjacent *Lots* so as to reduce the number of curb cuts and enhance the effectiveness of the required *Front Yard* landscaping;

(2) the proposed development is appropriate to the site and its surroundings; and

(3) the proposed development is consistent with the intent and purpose of this Ordinance.