

CASE SUMMARY

Case: 2025-2256

Request: Proposed Text Amendments for the Unified Development Ordinance

Location: Properties within the Town of Danville Corporate Boundary

Staff Summary:

This is a public hearing to amend five (5) sections of the Unified Development Ordinance (UDO) for corrections, modifications and additions. The UDO was adopted on February 7, 2024, and became effective May 1, 2024. As with any new ordinance, revisions are often necessary once implementation begins, which is the purposed of these proposed amendments.

Amendment 1: Table 2.1: *Permitted and Special Exception Land Uses* – This amendment would allow multifamily uses within the CB-P and CB-S districts, which encompass the downtown core of Danville. This change would permit apartments on the second stories of commercial buildings, consistent with the Town's previous zoning ordinance.

Amendment 2: Section 4.02.G.2.b: *Fence Wall Location* – This amendment would remove the allowance of placing the fence up to the property line and instead requires fences to be set back a minimum of two (2) feet. However, fences may still be located on a shared property line with written consent from the adjoining property owner.

Amendment 3: Section 4.07.C.8.c: *Parking Landscaping and Screening* – This amendment corrects a citation error, changing the reference from 5.04.G to 4.05.G.

Amendment 4: Section 4.08.I.1.a: *Table 4.9 Permitted Permanent Sign Areas* – This amendment corrects a table citation error, revising the reference from 4.9 to 4.10.

Amendment 5: Section 7.05.B.4: *Public Notice for Development Plans* – This amendment removes the word “not” from the sentence to correct an error.

This public hearing was properly advertised, and copies of the proposed amendments were made available at both the Danville Public Library and Danville Town Hall, as required by state statute.

No inquiries regarding the proposed amendments have been received by staff.

Plan Commission Action:

*Forward Favorable Recommendation for Text Amendments to Town Council
Forward Unfavorable Recommendation for Text Amendments to Town Council
Continue Pubic Hearing and Require Revisions*

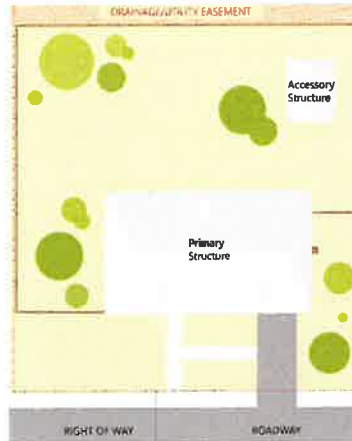
TABLE 2.1: PERMITTED AND SPECIAL EXCEPTION LAND USES, CONT'D.														
Use Type	Land Use	R1	R2	R3	RU	CB-P	CB-S	LB	GB	IL	IG	PR	ADOD	CPOD
residential	dwelling, multi-family		P	P		P	P	P						
residential	dwelling, single-family attached		P	P	P									
residential	dwelling, single-family detached	P	P	P	P									
residential	dwelling, single-family temporary	S	S	S	S									
residential	dwelling, two-family		P	P	P									
residential	group home		S	S	S		S	P						
residential	manufactured home park			S-S										
residential	short term rental	S-S	S-S	S-S	S-S	S-S	S-S							

Commented [LT1]: Multifamily permitted in CB-P & CB-S district

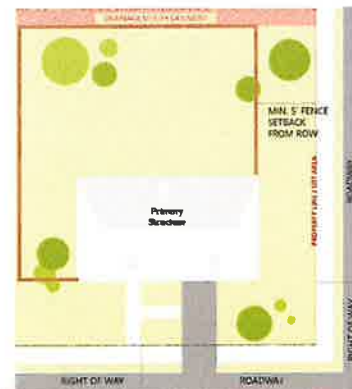
P = Permitted
S = Special Exception
X = Prohibited within the CPOD
P-S = Permitted, Additional Standards Apply (see Chapter 3: Error! Reference source not found.)
S-S = Special Exception, Additional Standards Apply (see Chapter 3: Error! Reference source not found.)

A. Accessory Structure Location.

1. An accessory structure shall meet all setback and structure height requirements as required by the applicable zoning district in Chapter 2: Zoning Districts.
2. Accessory structures shall not be constructed within any type of easement, including drainage, access, and utility easements.
3. Accessory structures that require a permit shall be located in line with or behind the front building façade of the primary structure in all districts unless otherwise stated in this UDO. This does not include fences that comply with this UDO.
4. Accessory structures that do not require a permit are allowed in the front yard in all districts, except swing sets, trampolines, and similar play structures.



Example of Fence/Wall Placement



Example of Corner Lot Fence/Wall

Commented [LT1]: Change from up to the property line to a minimum of 2 feet from the property line

B. Fence and Wall Standards.

1. Fence and Wall General Standards.

- a. All fences and walls shall be approved and permitted prior to installation.
- b. These standards do not apply to retaining walls whose purpose is to provide structural support in grading and elevation changes.
- c. No regulations contained herein shall supersede Indiana Code regarding fences.
- d. No fence or wall shall be constructed or designed so that it creates a traffic hazard or is hazardous or dangerous to persons or animals.

2. Fence and Wall Locations.

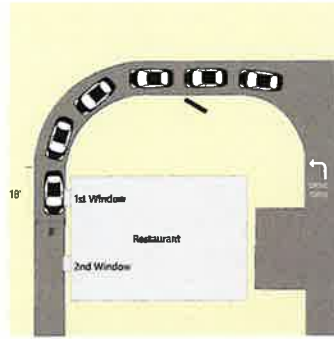
- a. Fences and walls shall not be located within any type of easement, including drainage, access, and utility easements.
- b. Fences and walls do not need to comply with accessory structure setbacks and must be a minimum of two (2) feet from the property line or on the property line with written approval from the adjoining property owner(s), provided all fences are at least five (5) feet from any public right-of-way and comply with all other standards of this UDO.
- c. Temporary Safety fencing for construction sites shall be exempt from these standards.

3. Fence and Wall Design and Materials.

- a. Fence and wall materials, types, locations, and heights shall comply with Table 4.1: Permitted Fences and Walls.
- b. Razor wire, barbed wire, sharpened top spikes, and electrified fences (excluding underground pet fence systems) are prohibited unless for agricultural or industrial purposes and uses and placed at least five (5) feet above ground level.
- c. Structural supports for any fence shall face inward.
- d. Fences may be placed on retaining walls but any height of the retaining wall and/or fence above the finished grade shall comply with the maximum fence height.

1. Drive Through Stacking Design.

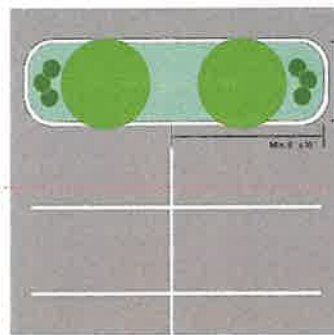
- a. Uses that have a drive through for any reason shall provide off-street stacking areas in addition to the required parking spaces.
- b. The applicant shall provide a minimum of four (4) stacking spaces per drive through lane.
- c. Each stacking space shall be a minimum of eight (8) feet in width and eighteen (18) feet in length. Stacking spaces cannot include or impede any driveway, aisle, or other circulation area.
- d. All stacking shall occur on the same parcel. No vehicles shall be permitted to wait, stack, or idle within a public or private road or right-of-way.



Example of Drive-Thru Stacking

2. Parking Landscaping and Screening.

- a. Parking lot islands and landscaping shall be provided for all parking lots with fifteen (15) or more parking spaces in accordance with Table 4.5: Parking Lot Islands and Landscaping.
- b. Plantings shall not impede traffic safety or obstruct driveways or public road sight distance, including any sight triangle.
- c. Trees and shrubs shall comply with Chapter 5.04.G: Landscaping Installation Requirements, unless otherwise specified in this chapter.
- d. All required landscape areas shall be covered in plantings, ground cover, or non-living permeable material, such as mulch.



Example of Parking Landscape Island

Commented [LT1]: Change from 5.04.G to 4.05 G

A. Permitted Permanent Signs.

1. General Permanent Sign Standards.

- a. **Table 4.9** outlines permitted permanent signs, provided the respective development standards in Chapter 2: are met. If a type of permanent sign is not expressly permitted in the table below, then it is prohibited.
- b. Permanent signs within the CPOD shall follow the standards for the underlying zone district, unless otherwise specified.
- c. A sign permit is required unless otherwise specified.
- d. EVMS is not permitted for permanent signs unless otherwise specified.

Commented [LT1]: Should be Table 4.10

2. Landscaping for Permanent Signs Required for Pole and Monument (Ground) Signs.

- a. Seeded or sodded cover does not qualify as a landscape area.
- b. Ornamental grasses, shrubs, and similar landscape material shall cover a minimum of fifty percent (50%) of the landscape area. The remaining portion shall be covered with landscape materials, such as decorative stone.
- c. A minimum of 0.5 sq ft of landscape area per 1 sq ft of sign face is required in CB-P and CB-S districts.
- d. A minimum of 1.5 sq ft of landscape area per 1 sq ft of sign face is required in all other districts.

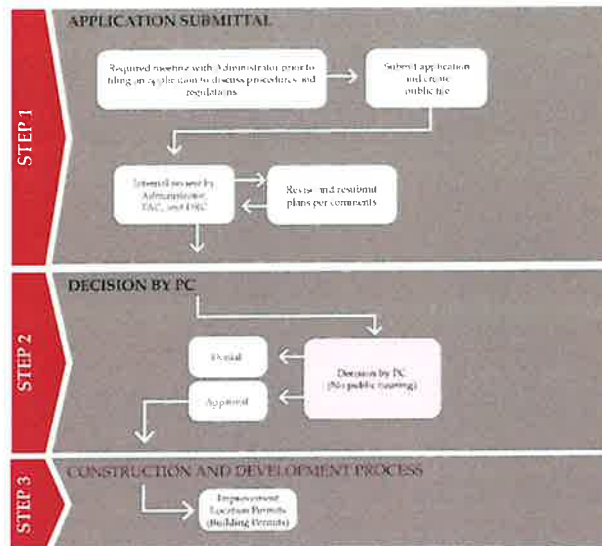
TABLE 4.9: PERMITTED PERMANENT SIGN AREA

Maximum Cumulative Area of All Sign Faces ¹	
R1, R2, R3, RU	2 square feet per parcel, except monument signs as permitted in Table 4.10: Permitted Permanent Sign Types
CPOD	As permitted by the zoning district unless otherwise specified
CB-P, CB-S ²	0.5 square feet per 1 linear foot of primary building frontage (32 sq. ft. maximum)
LB, GB ²	1.5 square feet per 1 linear foot of primary building frontage (200 sq. ft. maximum)
IL, IG ²	2 square feet per 1 linear foot of primary building frontage (200 sq. ft. maximum)

¹ – Maximum cumulative sign face only includes the sign face and excludes the total sign area/sign structure. See Chapter 9.02: Definitions

² – Total square footage is calculated based on the length of the front elevation of the primary structure that includes the front entrance; additional square footage is not permitted for secondary or side streets.

7.05 DEVELOPMENT PLAN PROCEDURES



A. Applicability.

1. In accordance with IC 36-7-4-1400 series and the PC Rules and Procedures, the PC shall hear and make decisions regarding development plans.
2. Development plan approval shall be required for the following:
 - a. All new primary structures for all uses except single-family, two-family, or agricultural uses (excluding confined feeding operations) or as otherwise stated in this UDO.
 - b. Modifications to the site that meet the thresholds requiring compliance for an individual or all site standards as outlined in Chapter 4: **Error! Reference source not found.**
 - c. All new primary structures or modifications to the exterior of a primary structure within the CPOD, excluding single-family and two-family uses, unless otherwise determined by the Administrator,
 - d. As otherwise required by this UDO.

B. STEP 1: Application Submittal.

1. **Pre-Application Meeting Required.** Prior to filing an application for development plan, the applicant shall schedule a required pre-application meeting with the Administrator, which may be held in-person, virtually (video conference), or by phone. This step gives the applicant the opportunity to discuss the procedures for approval with the Administrator as well as the requirements and regulations for development.
2. **Application Required.** The applicant shall submit a complete application for development plan approval in accordance with the application requirements.
3. **Public File.** Once the Administrator determines that an application is complete and in proper form, they shall assign a file number and create a public file.
4. **Public Notice.** Public notice is **not** required for development plans.

Commented [LT1]: Remove "not"

CERTIFICATION OF UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS

To: Danville Town Council
From: Danville Plan Commission
Date: September 11, 2025
Re: Unified Development Ordinance Text Amendment (Ordinance 19-2025)

On September 10, 2025, the Danville Plan Commission conducted a public hearing on the proposed text amendments to the Danville Unified Development Ordinance (UDO). After the public hearing, the Plan Commission voted to favorably recommend to the Danville Town Council that it adopt the proposed UDO text amendment Table 2.1, Section 4.02.G.2.b., Section 4.07.C.8.c. Section 4.08.I.1.a., and Section 7.05.B.4. Having complied with the applicable statutory procedures, the Plan Commission hereby certifies this proposal and its subsequent recommendation to adopt this Ordinance is forwarded to the Town Council.

Danville Plan Commission

By: 
Loris L. Thompson, President

By: 
Barry A. Lofton, Secretary

ORDINANCE No. 19, 2025

AN ORDINANCE AMENDING THE TEXT OF THE UNIFIED DEVELOPMENT OF THE TOWN OF DANVILLE

Whereas, on February 7, 2024, the Town Council of Danville adopted Ordinance No. 1-2024 which provides for the administration, enforcement, and amendment of zoning regulations in the Town of Danville; and

Whereas, the Town Council of Danville deems it necessary to amend said ordinance for the purpose of promoting the general health, welfare, and safety of the citizens of the Town of Danville; and

Whereas, the Danville Plan Commission has given public notice of the hearing on this text amendment and a public hearing was held in accordance with state law.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF DANVILLE, INDIANA THAT Ordinance No. 19-2025 be amended as follows:

Table 2.1: Permitted and Special Exception Land Uses shall be amended to add:

Multifamily permitted in the CB-P and CB-S district.

Section 4.02.G.2.b.: Fence and Wall Location shall be amended:

to remove “and may be placed up to the property line” and add “and must be a minimum of two (2) feet from the property line”

Section 4.07.C.8.c: Parking Landscaping and Screening shall be amended to modify from 5.04.G to 4.05.G.

Section 4.08.I.1.a: Table 4.9 Permitted Permanent Sign Area as referenced modify to Table 4.10

Section 7.05.B.4.: Public Notice shall be amended to remove “not”.

Duly passed and adopted by the Danville Town Council, this 17th day of September, 2025.

THE TOWN COUNCIL OF THE TOWN OF
DANVILLE, INDIANA

Dave Potter, President

Michael Chatham, Vice-President

Greg Irby, Member

Bret Doub, Member

Chris Gearld, Member

ATTEST:

Carrie Lofton, 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."

Lesa Ternet
Document prepared by: Lesa Ternet