

ARTICLE 7. PLANS, MAPS, AND ZONING DISTRICTS

PART A. OFFICIAL PLAN AND MAPS

Section 1. Official Comprehensive Plan

Section 2. Official Map

PART B. ZONING DISTRICTS

Section 1. Official Zoning Map

Section 2. Establishment Of Zoning Districts

Section 3. Interpretation of District Sequence

Section 4. Rules for interpretation of District Boundaries

Section 5. Annexed Land

Section 6. Zoning District Equivalency Table

PART A. OFFICIAL PLAN AND MAPS

Section 1. Official Comprehensive Plan

The Comprehensive Plan of the City of Noblesville, as amended, establishes the policies for land use that underlie this Unified Development Ordinance. The Comprehensive Plan is an ordinance of the City, adopted pursuant to State Law.

Section 2. Official Land Use and Thoroughfare Plan Map

The Comprehensive Plan contains the official Land Use and Thoroughfare maps of the City. These maps shall be consulted when land use decisions are made pursuant to this Unified Development Ordinance. The maps of the Comprehensive Plan shall be used as criteria in making decisions upon land use requests.

PART B. ZONING DISTRICTS

Section 1. Official Zoning Map

The Planning Jurisdiction is hereby divided into zones, or districts, as shown on the Official Zoning Map that, together with all explanatory matter thereon, is hereby declared a part of this ordinance.

A. Identification of Official Zoning Map

The Official Zoning Map shall be identified by certification and bear the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Article 7 of Ordinance Number _____ of the City of Noblesville, State of Indiana," together with the date of adoption of this ordinance. Certification should be by the signature of the Mayor and attested by the City Clerk-Treasurer. The title "Official Zoning Map" in large letters may be placed in an appropriate open space around the map or in the title block.

B. Maintenance of Official Zoning Map

If in accordance with the provisions of this ordinance changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Common Council with an entry on the Official Zoning Map as follows: On _____ (date) _____, by official action of the Common Council, the following changes were made on the Official Zoning Map: _____, which entry shall be initialed by the Director or Chairman of the Plan Commission and attested by the City Clerk-Treasurer. No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of any kind by a person or persons shall be considered a violation of this ordinance and punishable as provided in this ordinance.

C. Location of Official Zoning Map

Regardless of the existence of purported copies of the Official Zoning Map, which from time to time may be published, the Official Zoning Map shall be located in the office of the Clerk-Treasurer of the City of Noblesville. It shall be the final authority as to the current zoning status of land and water areas in the City, and its administrative jurisdictional area.

D. Replacement of Official Zoning Map

{Refer to Indiana Statute – IC. 36-7-4-608.} **ORD. #56-11-07**

Section 2. Establishment of Zoning Districts

The zones or districts established in the Noblesville Planning Jurisdiction are as follows:

A. Residential Districts

Low Density Single Family Suburban Residential (SR)

{Low Density Single Family Suburban Estate Residential (SER)} **ORD. #25-7-10**
REMOVED by Ordinance # 18-5-11

Low Density Single Family Residential (R-1)

Low to Moderate Density Single Family Residential District (R-2)

Moderate to High Density Single Family Residential District (R-3)

Moderate to High Density One and Two-Family Residential District (R-4)

Moderate to High Density Multi-Family Residential District (R-5)

Residential Mobile Home Park (RMH)

{Residential Planned Development (R/PD)} **ORD. #56-11-07**

B. Commercial Districts

Local Business (LB)

General Business (GB)

Downtown (DT)

Planned Business (PB)

Village Center Commercial (VCC)

Village Center Mixed Use (VCM)

{Business Planned Development (B/PD)} **ORD. #56-11-07**

C. Industrial Districts

Light Industrial (I-1)

Heavy Industrial (I-2)

Extractive Industrial (I-3)

D. Special Districts

Zero Lot Line (ZLL) Overlay

Historic Preservation (HP) Overlay

Planned Development (PD)

Village Center Overlay (VCO)

Governmental Use Overlay (GUO)

{E. Miscellaneous Districts} ORD. #25-7-10

{Corporate Campus Planned Development (CCPD)} **ORD. #64-11-08**

Flood Hazard (FH) District

{**West Gateway Planned Development (WGPD)**} **ORD. #20-7-11**

Section 3. Interpretation of District Sequence**A. General Rule**

This Ordinance rejects as outdated and inappropriate the concept of hierarchical and cumulative Zoning Districts and, except as noted below, 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.

B. Special Rule

Within the foregoing philosophy, however, it is recognized that, when different districts are juxtaposed, their differing characters may require special treatment to ameliorate incompatibilities that might otherwise result. For this limited purpose, this Ordinance recognized 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.

1. The residential districts shall be deemed more restrictive than any nonresidential district.~**ORD. #56-11-07**
2. The SR District shall be deemed the most restrictive residential district and the R-5 District shall be deemed the least restrict residential district, and the residential districts shall be deemed to become less restrictive as the district number increases.
3. The commercial, industrial and special districts shall be deemed to be equally restrictive.

Section 4. Rules for Interpretation of District Boundaries

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

- A.** Boundaries indicated as approximately following the centerlines of thoroughfares or highways, street lines or highway right-of-way lines, or alleys shall be construed to follow such centerlines.
- B.** Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C.** Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- D.** Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E.** Boundaries indicated as following shore lines shall be construed to follow such shorelines; and in the event of change in the shoreline, shall be construed as moving with the actual shoreline.
- F.** Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines, provided, however, when streams meander from the stream bed as it existed on the effective date of this ordinance, the boundaries shall be construed as following the original stream bed, except for floodplain boundaries which are somewhat dependent on streams for their definition.

- G. Boundaries indicated as approximately following flood plain lines shall be construed to follow such contour lines. In addition to the boundaries shown on the zone maps, the flood plain boundaries of minor ditches and streams may be designated as being 100 feet either side of the edge of the water at mean elevation, or the outer edges of a horizontal plane established at an elevation of five feet above the mean water level, whichever is the greater distance. In this case, the stream, or ditch, shall be designated as one that flows at least 180 days of the year.
- H. Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 7 above shall be so controlled. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- I. Where physical or cultural features existing on the ground are at variance with those shown as the Official Zoning Map, or in other circumstances not covered by Subsections 1 through 6 above, the Board of Zoning Appeals shall interpret the boundaries.
- J. Where a district boundary line divides a lot that was in single ownership at the time of passage of this ordinance, the Board of Zoning Appeals may permit, as a special exception, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

Section 5. Annexed Land

All territory which may hereafter be annexed to the City of Noblesville shall be zoned consistent with the land use policy of the comprehensive plan and with the zoning district most similar to the zoning which was applicable prior to annexation, as long as that zoning is consistent with the comprehensive plan land use policy map.

Section 6. Zoning District Equivalency Table

Zoning districts existing prior to the effective date of this ordinance, but which are no longer a district described by this ordinance, shall require a map amendment to an equivalent and appropriate district which is described in this ordinance. Additionally, districts newly created by this ordinance, but which do not currently exist on the zoning map, may later be a part of the Zoning map subsequent to a map amendment. Prior to the amendment of the zoning map for such purposes, the following Table 7.0.5 shall be used to establish the relationship between existing and new districts.

Table 7.0.5 Zoning District Equivalency Table

Previously Existing Zoning District	Equivalent Zoning Table
FW, FP, FF	FH
PRO	None existing on map.
AB	None existing on map.
AD	None existing on map.
R-6	None existing on map.
OS	Uses previously allowed in the OS District may now be allowed in districts as listed in Appendix C, Schedule of District Uses. The OS Districts existing on the City of Noblesville Zoning Map as of May 1, 1996 shall be considered R-1 Districts until such time as the zoning map is amended.
SER	None existing on map.