

Article

3

Overlay Districts

*City of Shelbyville
Unified Development
Ordinance*

Airport Compatibility Overlay (AR-OL) District

3.01 AR-OL District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The intent of the AR-OL is to establish specific zoning requirements for the area around the Shelbyville Municipal Airport in order to maintain the vitality and functionality of the airport, protect persons on the ground and traveling by air from hazards associated with airplane flight, and reduce land use conflicts in the area of the airport.</p> <p>The area around the airport presents unique considerations for the height of structures, the presence of factors that interfere with safe flight, and large gatherings of the public that require the establishment of additional development standards to meet the goals of the <i>City of Shelbyville Comprehensive Plan</i> and fulfill the purpose of this Ordinance.</p>	<p>All uses permitted in the underlying district(s) are permitted in the Airport Compatibility Overlay District with the exception of those uses which are prohibited by <i>Section 3.04(E): Prohibited Uses</i> or listed as special exceptions by <i>Section 3.04(F): Special Exception Uses</i>. All uses that are special exceptions in the underlying district are special exceptions in the Airport Compatibility Overlay District with the exception of those uses which are prohibited by <i>Section 3.04(E): Prohibited Uses</i>.</p>	<p>The development standards from the base zoning district shall apply to the AR-OL District in addition to the development standards described in <i>Section 3.04</i>.</p>

Airport Compatibility Overlay (AR-OL) District

3.02 AR-OL District Applicability

The following requirements apply to all land within the AR-OL District as defined in *Section 3.03: AR-OL Boundaries and Exemptions*. Under no circumstances shall a planned development or rezoning of property change the applicability of the AR-OL District's land use restrictions and additional development standards.

3.03 AR-OL Boundaries and Exemptions

The Airport Overlay District (AR-OL) shall apply to all properties as indicated on the Official Zoning Map of the City of Shelbyville, and all properties affected by the Shelbyville Airport Layout Plan as described by this Article. Generally this includes the area surrounding the airport extending 13,200 feet (2.5 miles) from the ends and each side of the active runway(s).

3.04 AR-OL Development Standards

All development within the boundaries of the AR-OL district shall comply with the following development standards.

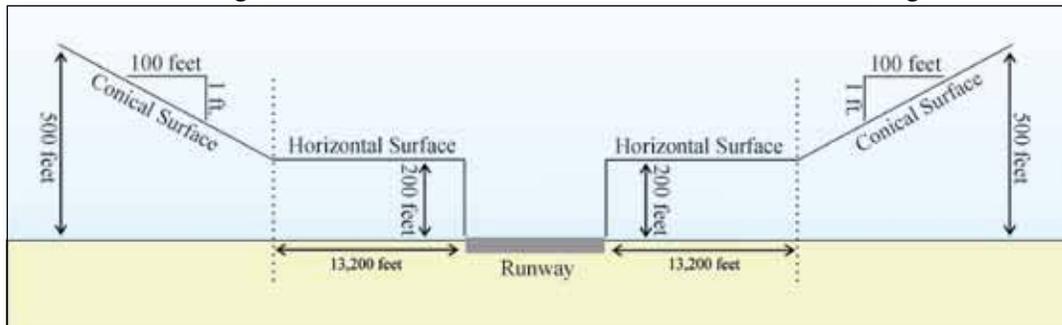
A. General Use Restrictions: No land use within the AR-OL district shall:

1. Create electrical interference with radio communication between the airport and aircraft or create interferences with navigational aids employed by aircraft;
2. Make it difficult for pilots to distinguish between airport lights and other lights;
3. Result in glare in the eyes of pilots using the airport;
4. Create pollution or other conditions that would impair visibility in the vicinity of the airport; or
5. Otherwise endanger the landing, taking-off, or maneuvering of aircraft.

B. Bird Strike Hazard Restrictions: No waste disposal site, solid waste transfer station, recycling facility, or other bird attracting use shall be located within the AR-OL district without approval and proper authorization by the Federal Aviation Administration FAA when applicable.

C. Height Restrictions: The following height restrictions shall apply within the AR-OL district:

1. Horizontal or Conical Surface: Proposed development or natural vegetation shall not be of a height greater than the horizontal surface or conical surface. The horizontal surface is an imaginary surface that is 200 feet above the active runway, and extends outward for a horizontal distance of 13,200 feet. The conical surface extends upward from the ends of the horizontal surface at a slope of one foot (1') vertical to 100 feet horizontal, outward to a height of 500 feet. See the Horizontal and Conical Surface Diagram below.

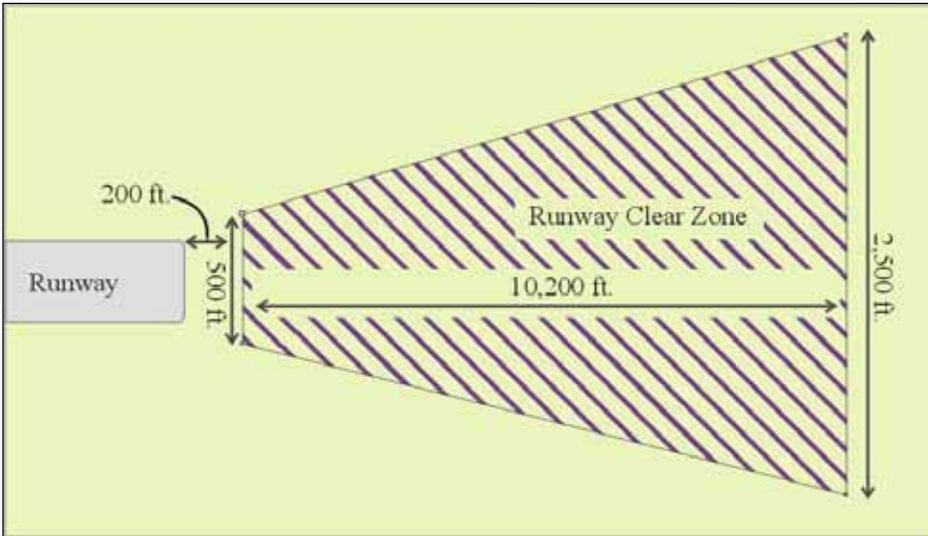


2. Exemptions: The following uses and structures are exempt from these height restrictions:

- a. A structure or object that is shielded by existing permanent structures or by natural terrain or topographic features of equal or greater height and is located in an area of established development where it is evident that the shielded structure would not adversely affect aircraft navigation.
- b. Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device of a type approved by the FAA and the height of which is fixed by its functional purpose.
- c. Any structures owned or maintained by the airport or any branch of government for utility purposes.

D. Runway Clear Zone Regulations: The following regulations shall apply to the runway clear zone within the AR-OL district:

1. *Clear Zone Defined*: A runway clear zone shall be established at each end of every active runway . This clear zone shall have a width of 500 feet at a distance of 200 feet beyond each end of the runway, widening thereafter uniformly to a width of 2,500 feet at a distance of 10,200 feet beyond each runway, its centerline being a continuation of the centerline of the runway. See the Runway Clear Zone Diagram below.



E. Prohibited Uses: The following types of uses shall be prohibited within the runway clear zone:

1. *Educational Facilities*: Including schools (P-12), colleges and universities, day care homes, and day care centers;
2. *Churches and other places of worship*;
3. *Nursing homes, retirement centers, and assisted living facilities*;
4. *Residential uses*; and
5. *Stadiums, theaters, and similar places where the public is assembled*.

F. Special Exception Uses: The following types of uses shall be special exceptions within the runway clear zone, provided that they are also listed as permitted or special exception uses in the underlying standard zones:

1. Trade and business schools;
2. Hospitals and medical centers and clinics;
3. Hotels; and
4. Any uses involving the sales, storage, manufacture, and/or distribution of gasoline, propane, or other flammable, toxic, explosive, radioactive, biohazardous materials in a quantity and of a type that would further jeopardize the health of aircraft occupants, bystanders, and emergency personal in the event of an aircraft accident.

G. Noise Protection: All structures located in the runway clear zone should be adequately sound-proofed per FAA regulations to ensure the health and general welfare of occupants.

Race Track Overlay (RT-OL) District

3.05 RT-OL District Intent, Effect on Uses, and Effect on Standards

District Intent	Effect on Land Uses	Effect on Development Standards
<p>The intent of the RT-OL District is to establish specific zoning requirements for the area surrounding Shelbyville's race track facility. This overlay is intended to identify a specific geographic area in which further review of development proposals is needed to better guide growth in this intensely used area and to implement the <i>City of Shelbyville Comprehensive Plan</i>.</p> <p>The race track facility presents unique concerns for traffic management, land use, and aesthetic quality. This overlay district is established to ensure that development around the race track adequately accommodates the traffic in the area, establishes a complimentary set of land uses, and provides an aesthetically pleasing environment for visitors to the City of Shelbyville. This overlay district is intended to provide the Shelbyville Plan Commission with a vehicle to more closely examine proposed development in this area.</p>	<p>Principal Permitted Uses</p> <ul style="list-style-type: none"> • gaming facilities, including casinos as established pursuant to state statute • horse racing facilities and associated activities established pursuant to state statute • licensed off-track betting facilities • retail sales and services • spas and resorts • artist studios • lodging and accommodations • restaurants containing inside and outside seating • restaurants containing drive up/through facilities • package liquor sales • conference center, ball rooms, auditoriums and banquet facilities • theatres and cinemas • indoor recreation and amusement • offices for personal or professional services • automobile parking facilities • government use facilities such as a fire, rescue or police station <p>Accessory Permitted Uses</p> <ul style="list-style-type: none"> • uses which are customarily incidental to any of the permitted principal uses and are located on the same lot or adjoining property as the principal use are permitted. <p>Special Exception Uses</p> <ul style="list-style-type: none"> • outdoor recreation, amusement and entertainment venues such as golf courses and driving ranges, swimming pools and water parks and commercial amphitheaters • heliports • vehicle Repair facilities, excluding auto body repair and the repair of semi, commercial or fleet vehicles • car washes • vehicle fuel sales, excluding semi and fleet vehicle fuel sales • vehicle storage <p>Prohibited Uses</p> <ul style="list-style-type: none"> • adult entertainment uses as defined in <i>Article 11: Definitions</i> • massage therapy salons as a primary use • automobile Sales • truck stop • truck and trailer sales • farm equipment sales and service • mobile/manufactured home sales • pawn shops • cash advance/payroll advance and check cashing facilities • tattoo and body alteration parlors • mini warehouse storage • sales of building materials • any industrial use • outdoor storage of any materials other than those associated with permitted horse racing facilities • all residential uses as a primary use • communication facilities that require the use of towers • religious assembly facilities and places of worship • daycare facilities • schools and similar educational facilities 	<p>The development standards from the base zoning district shall apply to the RT-OL District.</p>

Race Track Overlay (RT-OL) District

3.06 RT-OL District Applicability

The following requirements apply to all land within the RT-OL District as defined in *Section 3.07: RT-OL Boundaries and Exemptions*. Under no circumstances shall a planned development or rezoning of property change the applicability of the RT-OL District's land use restrictions and additional development standards.

3.07 RT-OL Boundaries and Exemptions

The Race Track Overlay District (RT-OL) shall apply to all properties as indicated on the Official Zoning Map of the City of Shelbyville.

3.08 RT-OL Development Standards

All construction in the RT-OL area shall conform to all development standards in *Article 5: Development Standards*: