

- vii. Outdoor storage, service, and loading areas.
 - (1) Areas for outdoor storage, truck parking, trash collection or compaction, loading and unloading, or other such areas shall not be visible from an adjacent street, public or private, or an adjacent residential district.
 - (2) Service areas such as loading docks, truck courts, and automobile service bays shall be oriented away from the view of any public street or adjacent residential district, unless the entire length of the area is screened by an eight (8) foot masonry wall constructed of materials compatible with the architecture of the primary structure.
 - (3) The exterior side of the screening wall shall be planted with landscaping materials so as to create a 100% opaque landscaping buffer that is at least four (4) feet in height at the time of planting.
 - viii. Permanent outdoor display, sales and storage. Merchandise may be stored or displayed for sale to customers only in areas immediately adjacent to the primary structure, provided that the area is enclosed by an eight (8) foot wall, or a three (3) foot wall topped by wrought iron or tubular steel fencing. The materials of the wall shall be consistent in appearance as the primary structure. The storage of outdoor merchandise for sale elsewhere on the property shall be prohibited.
 - ix. Decorative lighting. Decorative lighting shall be required along The Corridor Overlay District, unless prohibited by the City of Rushville or INDOT. All standards set forth above shall apply where not in direct conflict with any other provision of this chapter. In the event that one or more of the following criteria conflicts with any other requirement of this section, the more restrictive standard shall apply
3. City Council and Advisory Plan Commission Approval
Approval by the City Council and Advisory Plan Commission shall be required for any proposed or revised development plan, structure or structural alteration in a Corridor Overlay District.

L. HND, HISTORIC NEIGHBORHOOD DISTRICT

- 1. Purpose and Intent
The intent of this section is to provide for the implementation of a plan to preserve, protect and to encourage rehabilitation and preservation of sites, structures and districts of historic interest within the City of Rushville.
- 2. Historic Preservation Officer
The Code Enforcement Officer, or his designee, shall be the administer. The Code Enforcement Officers staff shall provide technical, administrative and clerical assistance as required by the Historic Board.
- 3. Historic District Boundaries
Historic District is bounded by 12th Street
- 4. Relationship to Zoning Districts

Zoning districts lying within the boundaries of the historic district are subject to the regulations for both the zoning district and the historic district. If there is a conflict between the requirements of the historic district and the zoning district, the more restrictive requirements shall apply.

5. Certificate of Appropriateness Required

The Historic Board shall issue Certificate of Appropriateness prior to the issuance of any permit relating to any of the following actions:

- a. Demolition of any building;
- b. Moving of any building
- c. Any change to the exterior color by additions, reconstruction, alteration, or maintenance. Construction of a new primary or accessory building that is viewable from the public right-of-way.
- d. Changes to existing walls and fences
- e. Construction of walls and fences, at public right-of-ways; or

6. Application for Certificate of Appropriateness

- a. Application for a Certificate of Appropriateness may be made in the office of the Code Enforcement Officer on forms provided by the Historic Board
- b. Drawings, sketches, plans, photographs, descriptions or other information showing the proposed exterior, alterations, additions, changes, or new construction shall be reasonable clear for the historic Board to render a decision.

7. Action on Applications for Certificates of Appropriateness

- a. The Historic Board may advised and make recommendations to the applicant before acting on an application for a Certificate of Appropriateness.
- b. If an application for a Certificate of Appropriateness:
 - i. Is approved by the Board; or
 - ii. Is not acted on by the Board within 30 days after it is filed, a Certificate of Appropriateness shall be issued by the Code Enforcement Officer
 - (1) If the Certificate is issued, the application shall be processed in the same manner as applications for building or demolition permits required by the city.
 - (2) If a building or demolition permits not required by the city, the applicant may proceed with the work authorized by the Certificate.
 - iii. If the Historic Board denies an application for a Certificate of Appropriateness within 30 days after it is filed, the Certificate may not be issued. The Historic Board shall state its reasons for the denial, in writing, and shall advise the applicant.
 - (1) An applicant that has been denied may not be processed as an application for a building or demolition permit and does not authorize any work by the applicant.
 - iv. The Historic Board may grant an extension of 30 day for just cause.
 - v. The Certificate of Appropriateness shall expire in one (1) year, the demolition, construction or alteration has not been completed within one (1) year after commencement of the work.

8. Development Standards

- a. A historic building or structure, or any part of or appurtenance to such a building or structure, including stone walls, fences, light fixtures, steps, paving, and signs, may be moved, reconstructed, altered, or maintained only in a manner that will preserve the historical and architectural character of the building, structure, or appurtenance.
- b. A historic building may be relocated to another site only if it is shown that preservation on-the building's current site is inconsistent of this ordinance.

9. Preservation Rights, Demolition, and Appeal

The purpose of this section is to preserve historic districts that are important to the education, culture, traditions, and economic values of the city and to afford the city's historical organizations, and other interested persons, the opportunity to acquire or to arrange for the preservation of these buildings.

- a. If a property owner shows that a historic building is incapable of earning an economic return on its value, as appraised by a qualified real estate appraiser, and the Historic Board fails to approve a Certificate of Appropriateness, the building may be demolished.
- b. Prior to the issues of a demolition permit or demolition proceeds, a notice of proposed demolition shall be given for a period sixty (60) days
- c. Notice shall be posted on the premises of the building proposed for demolition in a location clearly visible from the street and notice shall be published in the paper of general, daily circulation for the City of Rushville. The applicant shall provide proof of notifications publication to the Historic Board.

10. Visual Compatibility Factors

New construction moved, reconstructed altered, repaired, shall be visually compatible with existing buildings, within the boundaries of the historic district, as to:

- a. Height.
- b. Proportion of building's front façade.
- c. Proportion of openings into the facility.
- d. Front facades appearance.
- e. Spacing of buildings
- f. Entrance and porch projections.
- g. Material, texture, and color
- h. Roof shapes.
- i. Scale of a building.

11. Filing Fees and Forms

Applications for a Certificate of Appropriateness shall be on a form prescribed by the Historic Board and available from the Code Enforcement Officer. The Certification of Appropriateness application shall be submitted to the Historic Board, through the Code Enforcement Office and filing fees shall be submitted to the City of Rushville's Clerk-Treasurer and said filing fees are to be deposited in the Historic Board's non-reverting fund.