

# RIVER RIDGE

## COMMERCE CENTER



### **RIVER RIDGE COMMERCE CENTER DEVELOPMENT STANDARDS**

**May 20, 2024**

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# **RIVER RIDGE COMMERCE CENTER DEVELOPMENT STANDARDS Effective as of May 20, 2024**

In addition to the adopted River Ridge Commerce Center ("RRCC Amended and Restated Declaration of Covenants, Conditions and Restrictions, as may be amended or restated from time-to-time ("Declaration"), and any jurisdictional Governmental Body regulations, the following Development Standards shall apply to the Tier I, II & III Planning Areas within the RRCC unless approved of in writing from the Board of Review. These Development Standards shall supersede any previously adopted RRCC Development Standards. All defined terms within the Declaration shall apply to this document.

## **I. Permitted Uses and Land Use Types**

**A. Permitted Uses.** The RRCC and the Parcels therein, including the 2007 Declaration Parcels, the 2012 Declaration Parcels and the 2019 Declaration Parcels and any remaining RRCC Property, are part of a master planned industrial, research, commercial and office park under development by RRDA, and all Parcels shall be used for only such purposes as permitted under the Declaration, as applicable to the property respectively subject thereto. Permitted uses shall be located within the proper Planning Area but are subject to modification by the Board of Review from time to time. The Board of Review must specifically consent in writing and in advance to each proposed use of a Parcel unless such proposed used has been pre-approved as a matter of right with respect to such Parcel, and all uses must be confined within a building, including storage, unless otherwise approved by the Board of Review.

### **1. Tier I Planning Area**

- i. Location – The Tier I Planning Area ("Tier I") is depicted on Exhibit A.
- ii. Permitted Uses – Parcels within Tier I may be used for corporate office, research and development, medical, institutional campus, flex space and commercial uses, in each case as such proposed use of a Parcel is approved in advance by the Board of Review.
- iii. Prohibited Uses - The land uses prohibited pursuant to paragraph B. are prohibited in Tier I, and in addition, the following operations and uses shall not be permitted:
  - a) Heavy Manufacturing;

b) Medium & Heavy Industrial

- iv. Conditional Uses – The following use may be permitted within Tier I upon the granting of an approval by the Board of Review and the requisite approvals from all Governmental Bodies having jurisdiction over the subject Parcel:

a) Light Industrial

**2. Tier II Planning Area**

- i. Location - The Tier II Planning Area ("Tier II") is depicted on Exhibit A.
- ii. Permitted Uses – Along with all uses allowed in Tier I, Parcels within Tier II may be used for office, distribution, warehousing, manufacturing, and industrial uses not otherwise prohibited pursuant to paragraph B, although RRDA may target certain areas of Tier II for certain uses that it determines should be grouped together or are otherwise compatible.
- iii. Prohibited Uses - All land uses prohibited pursuant to paragraph B. are prohibited in Tier II.
- iv. Conditional Uses – The following uses may be permitted within Tier II upon the granting of an approval by the Board of Review and the requisite approvals from all Governmental Bodies having jurisdiction over the subject Parcel:
- a) Airports and heliports;
  - b) Aviaries and zoos;
  - c) Clubs (private and proprietary);
  - d) Hospitals, institutions, nursing homes and homes for the infirmed and aged;
  - e) Libraries, museums, historical buildings and grounds, arboretums, aquariums, and art galleries (not for profit);
  - f) Day care centers, day nurseries, nursery schools and kindergartens;
  - g) Kennels;
  - h) Lakes (commercial);
  - i) Electrical substations;
  - j) Wastewater treatment plants; and
  - k) Water treatment plants.

**3. Tier III Planning Area**

- i. Location – The Tier III Planning Area (“Tier III”) is depicted on Exhibit A.
- ii. Permitted Uses – All uses identified within Tier I and II along with heavy industrial and rail uses.
- iii. Prohibited Uses – All land uses prohibited pursuant to paragraph B.
- iv. Conditional Uses – The following uses may be permitted within Tier III upon the granting of an approval by the Board of Review and the requisite approvals from all Governmental Bodies having jurisdiction over the subject Parcel:
  - a) Airports and heliports;
  - b) Electrical substations;
  - c) Wastewater treatment plants; and
  - d) Water treatment plants.

**4.** In addition to the applicable requirements of the Declaration, uses within RRCC will be subject to the Development Standards and to applicable Laws, including the Zoning Ordinance applicable to the subject Parcel. Subject to compliance with applicable Laws, including the applicable Zoning Code, the approval or denial of a particular land use upon a Parcel shall be final as determined by the Board of Review, or its successors or assigns.

**5.** An approved use shall be performed and carried out entirely within a Building that is so designed and constructed so that the enclosed operations and uses do not, in the sole opinion of the Board of Review, cause or produce a nuisance to other Parcels, such as, but not limited to, vibration, sound, electromechanical disturbances, electromagnetic disturbances, radiation, air or water pollution, dust, or emission of odorous, toxic or nontoxic matter, including steam. Certain activities that cannot be carried on within a Building may be permitted upon a Parcel, provided that the Board of Review specifically consents to such activity in writing and further provided such activity is screened so as not to be Visible from Neighboring Property and streets. All lighting of any such activity is to be shielded so as not to be Visible from Neighboring Property to the greatest extent practical.

**6.** Retail uses upon Parcels shall be approved by the Board of Review, irrespective of the Planning Area within which a Parcel is located.

**B. Prohibited Uses.** The following operations and uses shall not be permitted on any Parcel subject to this Declaration:

- 1.** Strip clubs, spas and adult bookstores;
- 2.** Any adult entertainment establishment as deemed inappropriate by the Board of Review;
- 3.** Pawn shops, tattoo parlors, night clubs, bars or the sale of fireworks;
- 4.** Residential use of any type other than a residence occupied by a caretaker or grounds person employed by RRDA;
- 5.** Trailer courts or recreation vehicle campgrounds;
- 6.** Jail, private prison, juvenile detention facility, honor farm, or any other facility, public or private designed for use as an incarceration facility;
- 7.** Labor or migrant worker camp;
- 8.** Truck or boat or other motor vehicle storage, including house trailers, boat trailers and automobiles, or terminals (provided, that incidental truck usage and parking as necessary and appropriate for an approved use of a Parcel shall be specifically permitted);
- 9.** Raising, keeping or breeding of any animals, livestock, reptiles or poultry, except for laboratory use and then only inside the Building located on the Parcel;
- 10.** Racetracks and other vehicle endurance tracks (excluding test tracks related to an approved use of a Parcel);
- 11.** Distillation of bones;
- 12.** Sales lots for new or used automobiles, trucks, motorcycles, boats or other motorized vehicles;
- 13.** Commercial parking lots or structures not directly supporting an otherwise approved Building;
- 14.** Dumping, disposal, incineration, reduction or treatment of garbage, sewage (except as permitted in paragraph A.), offal, of rubbish or debris;
- 15.** Fat rendering;
- 16.** Refining of petroleum or its products;
- 17.** Smelting of tin, iron, zinc or other ores;

**18.** Cemeteries, mausoleums, crematories or funeral homes;

**19.** Drilling for water;

**20.** Excavation for stone, gravel, sand, dirt, earth minerals, oil, gas, or hydrocarbons, except for the construction of Improvements, the plans and specifications for which have been approved by the Board of Review or as may be necessary to complete public improvements; and

**21.** Radio or television, antenna, tower or the support thereof which are not within the enclosed portion of an individual Building or otherwise screened from view in a manner acceptable to and approved in writing by the Board of Review.

**C. Nuisances.** No nuisance, as determined in the opinion of Board of Review, shall be permitted to exist, or operate upon any Parcel to be unreasonably offensive or detrimental to any other Parcel or Owner or Occupants thereof considering the nature of and other uses within the RRCC. A “nuisance” shall include, but not be limited to, any of the following conditions (provided, that the Board of Review shall have no obligation to enforce existing Laws or to act against any Person or Owner alleged or found to be in violation of any Laws):

**1.** Any use, excluding reasonable construction activity, of the Parcel that violates any Laws with respect to the emission of dust, sweepings, dirt, cinders, fumes, odors, radiation, gases or vapors into the atmosphere, or the discharge of liquid, solid wastes, or other harmful matter into the atmosphere or any lake, stream, river, or other waterway in violation of any Laws. No waste nor any substance or materials of any kind shall be discharged into any public sewer serving the subject Parcel or the RRCC in violation of any Laws.

**2.** The escape or discharge of any fumes, odors, gases, vapors, steam, acids, or other substance into the atmosphere, which in the opinion of the Board of Review, may be detrimental to the health, safety, or welfare of any Person or may interfere with the authorized use of another Parcel or the comfort of Persons within the area or may be harmful to property or vegetation.

**3.** The radiation or discharge of intense glare or heat, or atomic, electromagnetic, microwave, ultrasonic, laser, or other radiation which in the opinion of the Board of Review, may be detrimental to the health, safety, or welfare of any Person or may interfere with the authorized use of another Parcel or the comfort of Persons within the area or may be harmful to property or vegetation. Any operation producing intense glare, heat or such other radiation shall be performed only within an enclosed screened area and then only in such manner that the glare, heat, or radiation emitted will

not be discernible from any point exterior to the Parcel upon which the operation is conducted, nor shall it create any hazard to any other Parcel or any of Remaining RRCC Property.

**4.** Sound levels of any machine, device, or any combination of same, from any individual business or operation, which are in violation of any Laws. Further, unless otherwise approved in writing by the Board of Review, the maximum sustained noise level within RRCC shall not exceed eighty-five (85) decibels measured one hundred (100) feet from the source. Any sustained noise exceeding eighty-five (85) decibels shall be considered a nuisance and prohibited. The Board of Review shall have the right in the sole discretion thereof, to determine whether a noise is a nuisance, including, without limitation, because of its volume, duration, intermittent beat, frequency, or shrillness. Notwithstanding the foregoing, the following shall not be deemed to be a nuisance:

- i. Sound emitted by required emergency work, safety signals, safety devices, and unregulated safety valves;
- ii. Sound emitted by authorized emergency vehicles;
- iii. Burglar alarms on motor vehicles or buildings;
- iv. Nondomestic farm animals and agricultural activities;
- v. National Weather Service systems used to warn the community of weather events or public danger;
- vi. Any aircraft operated in conformity with, or pursuant to, applicable Laws and air traffic control and instructions. Any aircraft operating under technical difficulties in any kind of distress, under emergency orders of air traffic control, or being operated pursuant to and subsequent to the declaration of an emergency under applicable Laws is also exempt;
- vii. Public celebrations, parades, events, and concerts which are approved by Board of Review;
- viii. Surface carriers engaged in commerce by railroad when the noise sources in question are trains in motion, train horns and whistles;
- ix. Emergency electricity generators in use during an emergency electrical grid outage;
- x. Construction and demolition activity to the extent such activity is properly permitted by the applicable Laws and Governmental Bodies;
- xi. Lawn, garden and mowing equipment operated by the owner or occupant, or on behalf of the owner or occupant, of a Parcel on which the equipment is being operated between dawn and dusk, except that such equipment may not be operated prior to 7:00 a.m. on Sunday;
- xii. Sound emitted by authorized municipal vehicles while in performance of official municipal functions (including, but not limited to, snowplows);

- xiii. Sound emitted by trash and solid waste haulers; and
- xiv. Sound emitted in connection with the construction, operation, maintenance, and repair of the Project Rail.

**5.** Exterior loudspeakers and unshielded lights unless such loudspeakers or lights are installed with permission of the Board of Review.

**6.** Noxious or offensive activities carried on, in, or upon any Parcel, and anything done therein, willfully, or negligently, that in the opinion of the Board of Review, may be or become an annoyance or nuisance to other Owners or Occupants, or shall unreasonably interfere with the peaceful and rightful possession of other Parcels by the Owners and Occupants thereof.

**7.** Any other use made of any Parcel in violation of any Laws.

**D. Subdivision.** No Parcel shall be subdivided, and no dedication of any part of a Parcel for a public road or private right-of-way or other public use, shall be made, without the prior written consent of the Board of Review. Any subdivision must adhere to this Declaration and all applicable Laws, including the applicable Zoning Code.

**E. Use Exceptions.** The Board of Review shall have the exclusive right to grant exceptions from the requirements the Development Standards with respect to any given Parcel, as the Board of Review, in its sole discretion, shall determine is necessary for the successful development of the RRCC, provided that the Board of Review finds that the exception will not materially and adversely affect the Owners of adjoining Parcels or the Occupants thereof. Any exception granted hereunder shall be effective upon, and only upon, issuance by the Board of Review of a written approval of an exception.

**F. Other Operations and Uses.** Other operations and uses that are neither specifically prohibited nor specifically authorized by the Declaration may be permitted in a specific case if operational plans and specifications are submitted to and approved in writing by the Board of Review. Approval or disapproval of such operational plans and specifications shall be based upon the assessment by the Board of Review, as applicable, of the effect of such operations or uses on other Parcel(s) and property subject to this Declaration and/or upon other Owners and Occupants and shall be granted in the sole discretion of the Board of Review.

## **II. Setbacks**

Minimum setbacks are as follows:

### **A. Tier I Setbacks**

1. All minimum Building front and street side setbacks are twenty-five (25) feet from the property line or ROW line.
2. All minimum Building side and rear yard setbacks are twenty-five (25) feet from the property line.

**B. Tier II Setbacks**

1. Commercial use minimum Building front and street side setbacks are twenty-five (25) feet from the property line or ROW line.
2. Commercial use minimum Building side and rear yard setbacks are twenty-five (25) from the property line.
3. Industrial/Manufacturing Use minimum Building front and street side setbacks are seventy-five (75) feet from the property line or ROW line.
4. Industrial/Manufacturing Use minimum Building side and rear yard setbacks are fifty (50) feet from the property line.

**C. Tier III Setbacks**

1. All minimum Building front and street side setbacks are twenty-five (25) feet from the property line or ROW line.
2. All minimum Building side and rear yard setbacks are twenty-five (25) feet from the property line.

**D. Amenity Areas**

1. Minimum setbacks from bodies of water, streams, conservation areas, or amenity areas shall be one hundred (100') feet.

**E. Exceptions to Setback Requirements.** The following Improvements, or part of Improvements, are specifically excluded from the setback requirements.

1. Roof overhang, subject to approval in writing from the Board of Review, provided said overhang does not extend more than eighteen (18") inches into the setback area.
2. Steps and walkways, bikeways, jogging paths and trails, trash collection structures, approved parking lots and loading areas.
3. Fencing and gates.
4. Landscaping and irrigation systems.
5. Monument and directional signage.
6. Underground utility facilities.

7. Above ground utility facilities.

### **III. Storm Water Management**

Stormwater management and protection within RRCC endeavors to restore natural hydrological features and provide multiple environmental and community benefits. All storm water elements (e.g. pipes, ditches, and the like) and detention/retention facilities shall be designed in accordance with the standards and specifications required under applicable Laws, including state and local Drainage Ordinances and regulations.

#### **A. Design**

1. Maximum Impervious Area:
  - i. Tier I & II – seventy-five (75%) percent
  - ii. Tier III – eighty (80%) percent
2. The use of BMP devices and techniques (such as bioswales, rain gardens, vegetated green roofs, pervious pavements) is recommended, and proven water quality techniques and devices shall be open to consideration for approval by the Board of Review. Each Owner is required to maintain and repair all storm water BMP devices and techniques located within its Parcel, including porous pavement if appropriate, for the permitted use, to prevent any malfunction or clogging of said system.
3. Drainage swales, detention and retention areas shall maintain a naturalized appearance and native vegetation, or other vegetation required by applicable Development Standards, including Zoning Ordinances, shall be utilized when landscaping these areas. Vegetation that is known to be invasive to southern Indiana is prohibited. Mowing of drainage areas and swales shall be kept to a minimum to promote the growth of native vegetation therein. Slopes for any mown area shall not exceed 3:1.
4. No impervious swales or drainage ways shall be allowed anywhere on site. Drainage swales and basins shall be designed to take advantage of the natural contour of the site and shall not be linear or geometric in design unless determined to be uniquely tied to the architecture and site design intent.
5. Where regional storm water systems exist, drainage swales and detention/retention basins shall connect to the regional storm water management system.

6. Buildings must be sited to minimize cut and fill operations, gentle slopes and smooth transitions should be maintained when grading, and abrupt grade transitions and constant slopes should be avoided.

## **IV. Vehicular Circulation**

All vehicular circulation requirements of the applicable Governmental Bodies, as appropriate by jurisdiction, shall be observed when designing and constructing roadways within the RRCC.

### **A. Site Access**

1. No direct access from Indiana Highway 62 shall be provided to any Parcel fronting on Patrol Road or other major thoroughfares, and in any event without specific approval from the Board of Review After approval by the Board of Review, Owner shall seek approval from INDOT and other Governmental Bodies as applicable.
2. There shall be a minimum of one hundred seventy-five (175') feet distance between curb cuts, and curb cut distance shall be measured from the centerline of the adjacent intersections.
3. When any proposed curb cuts are within one hundred seventy-five (175') feet from any existing curb cuts and are on opposite sides of the street, the centerline of the proposed curb cuts must align with the centerline of existing curb cuts to form 4-way intersections.

### **B. Roadway Design Standards**

1. Any roadway within a Parcel shall be a minimum of twenty-four (24') feet wide and a maximum of thirty-six (36') feet wide measured from curb face to curb face.
2. Roadways shall be paved with asphalt, concrete, brick, or porous pavement to provide dust-free, all- weather surfaces.
3. Roadways shall be defined and protected by a concrete curb with a minimum dimension of six (6) inch width and six (6) inch height, and extruded curb and gutter sections (median curb with six (6) inch gutter or full curb and gutter with eighteen (18) inch or twenty-four (24) inch gutters) are permitted.

## **V. Parking and Loading Areas**

All off-street parking requirements of the applicable Governmental Bodies, as appropriate by jurisdiction, shall be observed for other uses not stated below.

## **A. Parking Calculations**

1. Off-street parking adequate to accommodate the parking needs of the Owner or Occupant and the employees and visitors thereof shall be provided by the Owner or Occupant of each Parcel. No on-street parking shall be permitted except for occasional and intermittent parking by public transportation vehicles. If parking requirements increase as the result of a change in the use of a Parcel or in the number of persons employed by the Owner or Occupant, additional off-street parking shall be promptly provided by the Owner or Occupant at its cost.
2. The minimum off-street parking required for each Parcel shall be as follows:
  - i. One (1) parking space per four hundred (400) square feet of gross leasable area for all office uses.
  - ii. One (1) space per fifteen hundred (1,500) square feet of gross leasable area for light industrial, warehouse or flexible space Buildings.
  - iii. One (1) parking space per four hundred (400) square feet of gross leasable area for all standalone retail uses.
  - iv. For industrial uses one (1) parking space per employee at peak shift plus one (1) space per every two (2) employees on the next abutting shift plus visitor parking of one (1) space per twenty (20) peak shift employees (minimum 5).
  - v. All parking counts are negotiable depending upon a demonstrated need. The Board of Review reserves the right to modify any/all parking requirements.
  - vi. The maximum number of parking spaces allowed shall be the minimum number allowed factored by 1.2.

## **B. Design**

1. Required off-street parking shall be provided on the parcel or adjacent parcel via reciprocal parking/access agreement.
2. Parking lot spaces shall be a minimum of nine (9) feet by eighteen (18) feet with twenty-four (24) foot drive aisles and in a ninety (90) degree orientation. Angled parking is also acceptable if approval in writing by the Board of Review.
3. Interior rows of parking spaces shall provide a landscape island at the end of each row of parking spaces. Landscape islands shall also be provided within the row of parking spaces so that there are no more than twelve (12) consecutive parking spaces without a landscape island. The minimum

landscape island dimension from the outside edge of curb shall be nine (9) feet by the dimension of the parking row.

4. If an outdoor parking lot contains fifteen (15) or more parking stalls, not less than ten (10) percent of the interior of such parking lot shall be landscaped unless stated otherwise in additional development standards or approved in writing by the Board of Review.
5. Parking areas shall be paved with asphalt, concrete, brick, or porous pavement to provide dust free, all-weather surfaces. Each parking space provided shall be designated by white painted lines upon the paved surface and shall be adequate in area. All parking areas shall provide, in addition to parking spaces, adequate driveways and space for the movement of all types of vehicles which are anticipated to access the parking areas.
6. All parking lot perimeters and interior landscape islands shall be defined and protected by a concrete curb with a minimum dimension of six (6) inches in width and six (6) inches in height. Extruded curb and gutter sections (median curb with six (6) inch gutter or full curb and gutter with eighteen (18) or twenty-four (24) inch gutters are permitted. Parking lot islands designated for stormwater treatment shall provide curb cuts to allow the infiltration of water.
7. Parking structures may be permitted by the Board of Review to meet minimum parking requirements.
8. Provision shall be made on each Parcel for any necessary vehicle loading or unloading, and no on-street loading, unloading, or parking shall be permitted.
9. All loading dock areas and associated vehicle maneuvering areas shall be paved with concrete or asphalt to provide dust free, all-weather surfaces.

## **VI. Pedestrian Circulation**

A safe, well-connected, and well-designed pedestrian circulation network is important to connect RRCC users to the amenities available and to promote the high quality-of-life vision established for the RRCC. The design of the pedestrian circulation network is envisioned to provide a campus-style setting while connecting the various developments to a larger trail and sidewalk networks and amenities.

### **A. Internal Site Pedestrian Circulation**

1. All Parcels shall include a sidewalk that connects the Building(s) on the Parcel to the approved parking lots, and a sidewalk connecting such

Building(s) to any adjacent community pedestrian circulation systems (e.g. a sidewalk/trail ROW).

2. All Parcels shall include a sidewalk within the street ROW located adjacent to such Parcel if such a sidewalk does not currently exist at the time of development of the Parcel.

#### **B. Sidewalk Design Standards**

1. Sidewalks must be a minimum of five (5) feet in width or such greater width as required by applicable Laws.
2. Sidewalks shall be paved with concrete, brick, or porous pavement to provide dust free, all-weather surfaces.
3. Curvilinear walks are required within the ROW and must have a minimum radius of ten (10) feet.
4. ADA standards shall apply to all sidewalks constructed within RRCC.

### **VII. Architecture**

The RRCC architectural character is envisioned to exemplify world-class design aesthetics and should be integral to the overall site design. Architectural solutions should reflect the RRCC vision of sustainability and integrate high-performance features focusing on energy efficiency, water efficiency, healthy interior, and innovative solutions. Imaginative use of concrete, stone, and masonry from regional sources, where possible, lends a local influence and supports the regional economy. All Buildings and structures within RRCC must be constructed, maintained, and used in accordance with the terms set forth herein and any other then applicable requirements of the Board of Review.

#### **A. Building Massing**

1. Maximum Building Floor Area Ratios:
  - i. Tier I & II shall not exceed fifty (50) percent.
  - ii. Tier III shall not exceed two hundred (200) percent.
2. Building heights:
  - i. Tier I shall be a minimum of twenty (24) feet, or two (2) stories, but no more than sixty (60) feet, or five (5) stories unless otherwise approved by the Board of Review.
  - ii. Tier II maximum Building height shall be sixty (60) feet.

- iii. Tier III maximum Building height shall be one hundred (100) feet for primary structures and one hundred fifty (150) feet for ancillary structures.
- 3. The minimum Parcel size for approved commercial uses shall be one (1) acre, and the minimum Parcel size for approved industrial uses shall be three (3) acres.

**B. Materials**

- 1. Buildings and structures within the RRCC should be developed with an integrated architectural theme that includes similar materials, colors, and design details. Design elements throughout the RRCC should provide a complementary theme.
- 2. Colors on all Buildings shall be earth tones approved by the Board of Review. Accessory structures, landscaping and site fixtures shall complement the principal Building.
- 3. Building material shall be masonry, native or cultured stone, tinted and textured concrete masonry units, architectural precast concrete panels, site cast tilt-up concrete or stucco. Exposed concrete shall have an attractive texture and/or color. Finished Building materials shall be applied to all sides. Architectural metals can be used to accent Building façades.
- 4. The following materials for exterior finishes are prohibited. However, the Board of Review is open to creative uses of Building materials and may approve materials below if the design achieves a world-class aesthetic and design as determined by the Board.
  - i. Prefabricated metal panels and ceramic walls
  - ii. Highly reflective glazing
  - iii. Concrete Block
  - iv. Pre-engineered buildings

**C. Design**

- 1. The street or ground level of the Building shall respond to the character of a pedestrian environment by providing variations in vertical and horizontal offsets, transparency, scale, texture, and detail.

2. Primary Building entrances shall be clearly defined through vertical and horizontal offsets, transparency, scale, texture, and detail and provide adequate, functional shelter from the sun, wind, rain, and snow.
3. Entrances shall tie to plazas and the landscape design in a holistic and seamless manner that is achieved through a collaboration between the site and architecture.
4. Roof top mechanical equipment shall be screened from view using parapet walls or other architectural features appropriate to a particular Building design.
5. Rooflines of Buildings should include variations to avoid long, continuous planes, demonstrating special design treatments where there is a major change in an element of a Building elevation.
6. Long, blank facades exceeding one hundred (100) feet horizontally are prohibited. Horizontal and vertical offsets should be used to break up the facades on all Building elevations as well as highlight major features of the Building, such as Building entrances or stairwells.
7. Primary Building entrances shall be clearly defined and provide shelter from the sun, wind, rain, and snow.
8. All accessory structures (such as covered break areas, shelters, refuse collection or pergolas), exterior lighting, signage, and site design shall complement the design and materials of the primary Building and landscape features.
9. All loading areas shall be located at the side or rear of the Building.

**D. Utilities, Mechanical Equipment & Storage Tanks**

1. Wires, conduits and associated infrastructure for the transmission of electricity, communications and other purposes, public sewers, storm drain pipes, water and gas mains or pipes shall be placed beneath the surface of the ground, except that street light standards, and similar electrical equipment may be placed (or re-placed) upon the surface after the Board of Review has approved the design, location and, where needed, the proposed screening. The final location of above ground infrastructure shall be approved by the Board of Review in writing prior to installation.
2. No antenna or satellite dish for the transmission or reception of telephone, television, microwave, or radio signals shall be placed on any Parcel unless approved by the Board of Review in writing prior to installation.

3. Nothing contained herein shall be deemed to forbid the erection or use of temporary power or telephone facilities incidental to the construction or repair of Buildings on the Parcel.
4. All storage tanks to be placed on any Parcel, including, but not limited to, those to be used for storage of water, fuel or propane gas are subject to approval by the Board of Review in its sole discretion. The Board of Review may require any such permitted storage tank to be screened with landscaping and/or fencing or a wall from a neighboring property or street as it may deem appropriate.
5. All mechanical equipment, utility meters, storage tanks, air-conditioning equipment, and similar items shall be screened with a combination of landscaping and/or a fence or wall.

**E. Mailboxes**

Mail may be delivered via free standing mailboxes, postal carrier delivery or building wall/door mail slot. All free-standing mailbox locations must be approved in advance by the Board of Review and the United States Postal Service prior to installation.

**F. Fences and Walls**

1. The Board of Review reserves the right to approve the location and design of all fences and walls and no fence or wall shall be constructed without a letter of approval from the Board of Review.
2. The material and design aesthetic of the fence or wall shall be complementary to the Building architecture and site design.
3. The maximum height of the fence shall not exceed eight (8) feet. There is no minimum height required provided that the fence or wall is adequately screening the intended use as determined by the Board of Review.
4. Retaining walls shall be permitted.
5. Any approved chain link fencing must be black or green vinyl coated.
6. Chain link fences are not permitted in Tier I.
7. No security wire of any kind shall be permitted on any Parcel.

**G. Temporary Structures**

No temporary Buildings, or other Improvements of a temporary nature, including, without limitation, trailers, tents, sheds, or shacks, shall be permitted on any Parcel. Temporary Improvements used solely in connection with the

construction of approved Improvements may be permitted provided that the same are approved in advance by the Board of Review and are located as inconspicuously as possible and are removed upon completion of such construction.

## **VIII. Landscaping**

The following Standards shall serve as a minimum requirement and shall not limit creative landscape design solutions.

### **A. Buffers and Perimeters**

Landscape buffers shall be maintained along public or to-be-dedicated street frontage, and along other property lines within the RRCC. Such buffers shall be landscaped by the Parcel Owner with a combination of trees, shrubs, berms and/or other ground cover stated below.

1. A twenty-five (25) foot landscape buffer area shall be maintained along all public or to-be-dedicated street frontages. The buffer shall be landscaped by the Parcel Owner with an attractive combination of earthen berms, trees, shrubs, and other ground cover. Improved varieties of indigenous and hardy plants shall be selected with consideration for their size at maturity and ease of maintenance.
2. A fifteen (15) foot landscape buffer area shall be maintained along all other property lines outside of any utility easements.
3. Street frontage property shall be landscaped at a minimum rate of one (1) tree and eight (8) shrubs per fifty (50) linear feet of frontage.
4. All other property lines shall be landscaped at a minimum rate of one (1) tree per fifty (50) linear feet of frontage.

### **B. Design**

Landscape design is intended to provide an attractive, comfortable environment for users while minimizing maintenance needs, irrigation water requirements and the use of herbicides and pesticides. The use of native plant material is a core component of green infrastructure systems and central to the sustainability vision within the RRCC.

1. Each Planning Area shall maintain the following minimum percent green space requirements.
  - i. Tier I & II – Twenty-five (25) percent
  - ii. Tier III – Twenty (20) percent

2. Fifty (50) percent of total plant material (tree, shrubs, groundcover, perennials) shall be native. The balance shall be hardy to plant hardiness zone 5. Using native and locally sourced plant material can be beneficial as it will have reduced water requirements, and therefore reduced maintenance costs after initial establishment period and will attract habitats/wildlife that promotes biodiversity.
3. Vegetation listed on Indiana's Invasive Species Council's Official IISC Invasive Plant List webpage are prohibited:  
<https://www.entm.purdue.edu/iisc/invasiveplants.php>
4. Each parcel shall be landscaped in accordance with the approved plans and specifications. Installation shall be inspected by the Board of Review or their representatives at substantial completion of the site construction, and before issuance of the certificate of occupancy.
5. Trees and landscape areas shall be mulched to a depth of three (3) inches with shredded hardwood bark mulch or other approved mulch material. However, perennial beds and groundcover that spreads by rhizomes shall be mulched with forest fines mulch to a depth of three (3) inches. Decorative stone mulch may be considered for small-scale areas in courtyards and is subject to approval.
6. Landscape planting beds shall be defined by stone, metal edging or spade edge. Metal edging shall not be visible and shall be maintained accordingly.
7. Landscape and exterior spaces shall be maintained by Owner in an attractive and well kempt condition. If, in the Board of Review's reasonable opinion, the landscape and exterior spaces are not maintained in a well kempt condition, the Board of Review shall be entitled to the remedies set forth in the CCRs.
8. Vegetation, at installation and at maturity, shall not obscure sight lines at roadway intersections.
9. All maintenance equipment, utility, dumpster, truck dock and loading areas shall be screened from street frontages or other high visibility areas by a combination of landscaping, walls, or earthen berms. Screen walls shall measure a minimum of six (6) feet in height and compliment the architecture of the principal structure.
10. Adverse environmental impact should be minimized, and Improvements should be made and located to preserve significant natural vegetation, to the extent reasonably possible.

11. Existing vegetation to remain after completion of Improvements to a Parcel shall be protected during the entirety of construction and development activities out to drip line with construction type fencing.
12. A five (5) foot minimum irrigated landscape area shall be designated along and against each Building façade with street frontage except those portions occupied by access or loading. Each landscape area shall be planted with a combination of evergreen and deciduous shrubs.
13. Outdoor patios, plazas, and Building entries shall be enhanced with plant material to provide seasonal interest and human scale.

**C. Surface Parking Lots**

**1. Parking Lot Perimeter Landscape**

- i. Surface parking lots shall have a minimum of an eight (8) foot wide buffer. The buffer shall surround the perimeter of the parking lot for the purpose of minimizing views of parked cars from adjacent streets. Accepted screening methods include landscaped berms, plant material or short wall.
- ii. The buffer shall be well-landscaped with ground cover, shrubs and trees that are salt-tolerant and of seasonal interest. The buffer should be undulating and have a variety of materials to provide interest and separation from the site's impervious surface.
- iii. Street facing parking lot screening shall extend at least thirty-six (36) inches above the high point of the finished pavement in the parking area to be screened.
- iv. Plant material shall be installed at a minimum height of twenty-four (24) inches and reach a minimum height of thirty-six (36) inches within two growing seasons. Plant material that fails to reach this standard within the allotted time frame shall be replaced with plant material that is thirty-six (36) inches in height at the Parcel Owner's expense.
- v. The landscape buffer shall be designed in conjunction with site landscape materials and be complementary to adjacent sites and Buildings.
- vi. The buffer shall be continuous unless the placement of existing or proposed trees makes continuity impossible.
- vii. Where space allows, berms shall be considered as part of the perimeter landscape treatment to allow for diversity of interest.

viii. Provide landscape materials at the street side of a fence or wall when a solid masonry wall or fencing abuts public ROW. Vines may be planted on the street side of the base of the wall and encouraged to grow along the masonry.

## 2. Parking Lot Interior Landscape

- i. Parking lots shall incorporate no less than one (1) tree per six (6) parking lot spaces.
- ii. Twelve (12) parking spaces is the maximum number that can occur before a landscaped island is required.
- iii. The end of every parking aisle shall have a landscape island.
- iv. The minimum landscape island dimension from the outside edge of curb shall be nine (9) feet by the dimension of the parking row to ensure proper growth and protection of the landscaping materials planted therein.
- v. Each landscape island shall contain one (1) shade tree and five (5) shrubs per one hundred sixty (160) square feet of island area.
- vi. The interior surface parking lot shall be well-landscaped to interrupt the pavement expanse, to reduce the heat island effect, improve the visual appearance and to shade parked cars and pedestrians.
- vii. Pedestrian needs shall be accommodated within parking lots. Parking lots shall be designed to address:
  - a. How pedestrians are protected from high volume vehicular traffic.
  - b. How main entrances are linked to the parking lot.
  - c. How traffic will be properly managed and controlled. Large planting medians should incorporate pedestrian cross paths and provide bike racks.
- viii. Preservation of existing trees and vegetation shall be given special consideration for parking lot landscape requirements, contingent upon adequate tree preservation techniques being applied to ensure a high survival rate.

## 3. Bio-swales are encouraged both within and outside of pavement areas to enhance water quality and reduce storm water runoff.

- i. Drainage swales, detention and retention areas shall maintain a naturalized appearance to promote water quality and provide wildlife habitat. Native vegetation shall be utilized when landscaping these areas. Any mowing of drainage areas and swales shall be kept to a minimum. Slopes for any mown area shall not exceed 3:1.

#### **D. Irrigation**

To maintain landscape and turf quality, zoned irrigation systems equipped with rain sensors shall be utilized. Irrigation shall be installed in an efficient manner by avoiding over spraying or irrigating impervious surfaces such as parking lots or sidewalks.

1. To reduce the cost and demand for water, developments are encouraged to reduce or eliminate the use of potable water for irrigation. Acceptable methods for accomplishing this include:
  - i. Design the site to maximize captured storm water for irrigating plant material.
  - ii. Use plants that can survive from precipitation only.
  - iii. Improve water-retention capacity by increasing organic matter in soil.
  - iv. Use high efficiency equipment and climate-based controllers.
  - v. Reuse gray water by capturing rainwater, HVAC blowdown, or condensate water.

### **IX. Signs and Flag Poles**

Signage shall be professionally designed, have a contemporary aesthetic, and complement the Building architecture and site design. No sign shall be approved other than business monument signs, directional, informational, vehicular control signs, Building signs identifying the business of the Owner or Occupant of a Parcel, signs offering the parcel for sale or lease, and temporary development signs.

#### **A. Design**

1. No pole signs shall be permitted.
2. No flashing lights or scrolling text/images of any kind permitted on signage.
3. Up-lighting shall be permitted on flag poles, monument and Building signage.

4. Each Parcel shall be allowed one (1) free standing monument type sign per site with a maximum allowable height of eight (8) feet and sign surface area of forty-eight (48) square feet per side (including base).
5. Building signage area shall not exceed five (5) percent of street facing Building façade area or four hundred (400) square feet, whichever is less.
6. All signs shall be constructed of high-quality materials, shall be attractive and architecturally compatible with the primary Building located on the parcel and shall be permanently anchored by a structural foundation to the ground.
7. All signs shall be located on the parcel which it represents and outside of the street ROW.
8. All business or advertising signage of any kind must be located on the Parcel which it represents.
9. Advertising signage is only allowed with written permission from the Board of Review and for a period not to exceed three (3) months. Advertising signage shall not exceed a height of eight (8) feet or an area of forty-eight (48) square feet. Only one sign per Parcel shall be permitted.
10. Directional signage shall not exceed a height of three (3) feet with a maximum area of fifteen (15) square feet.
11. All signage and flagpole locations must be approved by the Board of Review prior to installation.
12. Any other signage not addressed in the above standards must be approved in writing by the Board of Review prior to installation.
13. Flag poles shall not exceed a height of thirty (30) feet.
14. All flagpole materials and construction methods shall be approved prior to installation.

## **X. Lighting**

Lighting throughout RRCC shall have a unified, contemporary design that utilizes high quality materials that complement the Building architecture or site design.

### **A. Design**

1. All light sources shall be contained in cut-off fixtures that obscure the source from direct view and prevent shining onto adjacent properties. No wall pack type fixtures are allowed.

2. All lighting types shall use LED fixtures with a color range between 4,000 and 5,000K.
3. The maximum height of light poles and fixtures within the parking lot, loading areas, and roadways shall be thirty (30) feet for Tier I & Tier II and forty (40) feet for Tier III. Building entrances and other pedestrian circulation paths shall have a max height for light poles of twelve (12) feet to provide a pedestrian scale.
4. Uplighting is acceptable if it is subdued and angled towards surfaces and not lit straight into the sky. No searchlights are permitted.
5. All roadway lighting should be of the same family of style as established by the Board of Review and all parking lot lighting shall be of the same family of style; however, roadway and parking lot lighting need not match.
6. All lighting types shall be reviewed and approved by the Board of Review.

**B. Light Levels**

The following areas must be lit at a minimum/maximum lighting level:

- |                                |                       |
|--------------------------------|-----------------------|
| 1. Parking lots:               | 0.2/0.5 foot candles  |
| 2. Building entrances:         | 5.0/10.0 foot candles |
| 3. Loading areas:              | 2.0/5.0 foot candles  |
| 4. Sidewalks/pedestrian areas: | 0.2/2.0 foot candles  |

## **XI. Outdoor Storage**

Outside storage of materials, supplies, and/or equipment is only allowed within Tier III and is contingent upon RRDA Board and Board of Review approval.

**A. Design**

1. Outside storage shall not be visible from street frontages.
2. If the outside storage is visible from surrounding Parcels, then it shall be landscaped by the Parcel Owner with a combination of evergreen trees, shrubs, berms and/or other ground cover as follows:
  - i. Earthen berms shall measure a minimum of six (6) feet in height. Berm slopes shall not be greater than 3:1.

- ii. Evergreen trees shall be placed at a rate of one (1) tree and eight (8) shrubs per thirty (30) linear feet of property line.
- 3. Outside storage shall not exceed a height of twenty-five (25) feet.

## EXHIBIT A

### RRCC TIER PROPERTIES MAPS



