**ORDINANCE NO. 071216**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 121410, AS AMENDED, AND SUBDIVISION CONTROL ORDINANCE NO. 121410A, AS AMENDED, OF THE CODE OF ORDINANCES OF THE TOWN OF McCORDSVILLE, INDIANA**

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Zoning Ordinance No. 121410, as amended, and Subdivision Control Ordinance No. 121410A, as amended, and has adopted as a part of the Code of Ordinances of the Town of McCordsville, Indiana; and

WHEREAS, upon the recommendation of staff regarding the best practices for regulating development, and the procedures and process for review and approval of development; and

WHEREAS, the Town Council of McCordsville, has, after a public hearing was held on June 21, 2016, received a favorable recommendation from the McCordsville Advisory Plan Commission; and

WHEREAS, the Town Council has found that such amendments are in the best interest of the health, safety, and welfare of the citizens of the Town of McCordsville, Indiana.

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of McCordsville, Indiana that Zoning Ordinance No. 121410, as amended, is hereby amended as described in Exhibit A, attached hereto.

This Ordinance shall be in full force and effect from and after its passage and due publication.

This ordinance was introduced and filed on the 12th day of July, 2016. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of 3 in favor 0 opposed pursuant to I.C. 36-5-2-9.8.

This ordinance was duly ordained and passed on this 13th day of September, 2016 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of \_\_ in favor and \_\_ opposed.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative: Voting Opposed:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Larry Longman Larry Longman

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Bryan Burney Bryan Burney

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Barry Wood Barry Wood

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Branden Williams Branden Williams

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Tom Stayer Town Strayer

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Catherine C. Gardner

Clerk Treasurer

This instrument was prepared by Ryan Crum, Director of Planning and Building, Town of McCordsville, 6280 W 800 N, McCordsville, IN 46055.

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. Ryan Crum.

**Exhibit A - Zoning Ordinance Amendment – Solar Panels**

***Section 4.01 Access Use and Structure Standards***

Existing: Current Ordinance language does not include any standards or regulations for solar panels.

Proposed: D(4) Solar Panels

Solar panels may be permitted in all commercial zoning districts, industrial zoning districts, Public/semi-public zoning district, Town Center zoning district, and commercial/industrial zoned areas of PUD zoning districts with the following restrictions:

1. Solar panels shall only be roof-mounted;
2. Solar panels are only permitted on flat roofs;
3. Solar panels must be completed screened by parapet walls. Solar panels and their associated components must not be visible from any other property or street.
4. Solar panels shall be designed and installed so as to allow proper access to and around the roof structure for emergency personnel.

Solar panels may be permitted in all residential zoning districts, Old Town zoning district, and residentially zoned areas of PUD zoning districts with the following restrictions:

1. Solar panels shall only be roof-mounted;
2. Solar panels shall only be mounted on the slope or plane of the roof opposite the slope or plane which is oriented towards the street frontage. Solar panels may not be permitted on any front or side roof plane or slope. If the rear roof slope or plane faces a street, and another home is not between the subject home and street, the subject home shall not be permitted solar panels on any portion of the roof;
3. Solar panels shall project no more than a maximum of 18” above the roof plane;
4. Solar panels shall not project above the maximum structure height of applicable zoning district;
5. Solar panels shall only be mounted to a primary residential structure, accessory buildings shall not be used for solar panels;
6. Solar panel equipment and components, other than the panels, must not be visible from any other property or street;
7. Solar panels are subject to private restrictions (ie. HOA Covenants); however, the Town’s permit process will not include such reviews. Any enforcement of private restrictions shall be the responsibility of the applicable private parties;
8. Solar panels shall be designed and installed so as to allow proper access to and around the roof structure for emergency personnel.