**ORDINANCE NO. \_\_\_\_\_\_\_**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 121410, 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 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 October 17, 2023, 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, are hereby amended as described in Exhibit A, attached hereto.

This ordinance was introduced and filed on the 14th day of November, 2023. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of \_ in favor \_ opposed pursuant to I.C. 36-5-2-9.8.

This ordinance was duly ordained and passed on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 2023 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of \_\_ in favor and \_\_ opposed. This Ordinance becomes effective January 1, 2024.

TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative: Voting Opposed:

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

Gregory J. Brewer Gregory J. Brewer

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Larry J. Longman Larry J. Longman

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Bryan Burney Bryan Burney

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Scott Jones Scott Jones

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Branden D. Williams Branden D. Williams

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Stephanie Crider, Clerk-Treasurer

This instrument was prepared by Gregg Morelock, Attorney at Law.

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. – Gregg Morelock

**Exhibit A**

Article X. – shall be amended as follows:

**Section 10.01 Petition & Permit Application Types**

1. **Petition Applications Required**

The Town of McCordsville requires that an application and subsequent fee be submitted for the following types of petitions:

(1) Development Standards Variance

(2) Administrative Appeal

(3) Zoning Map Amendment (Rezoning)

(4) Planned Unit Development Amendment

(5) Subdivisions, Primary Plat

(6) Subdivisions, Secondary/Final Plat

(7) Re-plat

(8) Plat Vacation

(9) Right-of-way Vacation

(10) Amendment to Commitments

(11) Exception to a Subdivision Control Regulation

(12) Development Plan

(13) Zoning Ordinance Amendment

(14) Subdivision Control Ordinance Amendment

**(B) Permit Applications Required**

The Town of McCordsville requires that an application and subsequent fee be submitted for the following types of permits:

1. Special Exception Use
2. Extension to Special Exception Use
3. Extension to Development Standards Variance

(2) Improvement Location Permit

(3) Sign Permit

(4) Temporary Use Permit

(5) Occupancy Permit

(6) Change in Use Permit

(7) Building Permit (inclusive of decks, pools, patios, and other permits as described herein and in the Town of McCordsville Fee Schedule)

(8) Right-of-way Permit

1. Impact Fees

The Town has adopted a Park Impact Fee and Park Impact Fees will be charged and collected in the manner prescribed in the Park Impact Fee Ordinance and in accordance with State Statute.

1. Inspection Fees

Inspection Fees shall be charged and collected as described in the Fee Schedule.

1. All Other Fees, Fines, & Penalties

All other fees, fines, and penalties shall be charged and collected as described by ordinance and in the Fee Schedule.

(F) Application Materials

All applications may be obtained from the Town of McCordsville website or by contacting the Planning & Building Department. Fees, in accordance with the Town of McCordsville Fee Schedule, shall be paid to The Town of McCordsville at the time all petition applications and permits are invoiced by the Town.

1. Application Forms

All applications shall be made on forms provided by the Plan Commission Office. All applicants shall submit original applications that are completed in their entirety in ink or typed.

(2) Copies of Materials

All applicants shall submit copies of applications and necessary plans and attachments as required by the adopted policies of the Administrative Officer and the applicable Rules and Procedures of the Plan Commission and Board of Zoning Appeals.

(3) Scheduling

All applications shall be assigned reference and/or docket numbers by the Administrative Officer, or his or her designee.

a) Petition Applications Petition applications shall be scheduled by the Administrative Officer, or his or her designee, for the appropriate public hearings based on the completeness of the application consistent with the requirements of this Article and the appropriate adopted Calendars of Filing and Meeting Dates for the Board of Zoning Appeals and/or Plan Commission.

b) Order of Action Taken Action shall be taken on all applications in the order in which they were received.

**Section 10.07 Improvement Location Permit**

No structures or site improvements shall be erected, moved, or added to on platted or unplatted land, without an Improvement Location Permit first being issued by the Administrative Officer, or his or her designee. No Improvement Location Permit shall be issued unless the project is in compliance with the provisions of this Ordinance, the Subdivision Control Ordinance, and other applicable regulations of the Town of McCordsville.

**(A) Permit Required**

The Town of McCordsville requires that an Improvement Location Permit be obtained for any of the actions listed below. A single Improvement Location Permit may be issued for a combination of these actions, if they occur together. The Administrative Officer shall determine if the application requires review by the Technical Review Committee and/or Architectural Review Committee.

**(1)** New development, after rezoning or plat approval;

**(2)** Placement or replacement of manufactured or mobile homes;

**(3)** Parking lot construction or alteration;

**(4)** Removal of required trees and plants within buffer yards and landscaping areas required by this Ordinance;

**(5)** Mineral extraction;

**(6)** Telecommunication towers, buildings, and antenna; and

(7) Any work requiring erosion control by state and local codes not already required to get a permit elsewhere;

**(10)** Any construction or site modifications that are not designed to be occupied or attached to a structure that is designed to be occupied; and

(11) Any other work deemed to require by the Zoning Administrator or Building Commissioner.

**Section 10.08 Temporary Use Permit**

All allowable temporary uses of land and/or a temporary structure of 200 square feet or more must obtain a temporary use permit. A temporary use permit expires after a period of 90 days. For all permitted temporary uses, the following information shall be required to be submitted with any request for a temporary use permit.

Article IV. – shall be amended as follows:

**Section 4.02(B)(1)(b) Time Limit:** Any temporary structure used for or in support of permitted primary or other use may be permitted for up to ninety (90) days in a calendar year, or as listed on the permit, whichever is less, unless otherwise specified by this Article. This limit shall apply to all temporary structures on a property. Temporary structure used for a permitted primary *Religious-Place of Worship* or *School* (public or private) use may be permitted for up to two (2) years.

**Section 4.02(B)(2)(b)(i) Extensions:** An extension of up to thirty (30) days may be granted by the administrative officer in any given calendar year, without the need for a public hearing. The Board of Zoning Appeals may grant subsequent extensions after a public hearing is held. For *Religious-Place of Worship* or *School* uses the Administrative Officer may approve a one-time extension for up to two additional years. The Board of Zoning Appeals may grant subsequent extensions after a public hearing is held. The Board or Administrative Officer may impose reasonable conditions as part of its approval.

Section 4.02(C)(a) Temporary Model Homes

(iv) Parking: Off-street parking spaces for model homes installed for the use of salespersons and potential buyers shall comply to the size requirements of this Ordinance. Off-street parking for the facility shall be located in the driveway or may be a small parking lot with a maximum of six (6) parking spaces located adjacent to the model home and behind the sidewalk. Such a parking lot shall be hard surface. Any driveway area shall be consistent in size and paving with those of the homes to be constructed in the development.

(v) Landscaping: Model homes shall provide landscaping consistent with that which will be provided for homes to be constructed in the development. If parking is provided via a small parking lot, a row of shrubs must be provided around the perimeter.

Section 4.06(F) Waste Containers: All dumpsters and other waste containers shall be screened consistent with Section 6.11, Buffering and Screening Standards, of this Ordinance. Waste containers shall not be interpreted as a trash can, which shall be permitted without the need for screening or buffering.

Section 4.17(B)(1)(b): Residential development within a project may not exceed the gross density of the identified on Appendix B, Bulk Use Standards Matrix, of this Ordinance. The applicant must meet all other development standards of the residential zoning classification and the requirements of this Ordinance.

Article IV – Specific Use Standards

Section 4.01(D)(4): Solar Panels

1. 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 completely 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.

 5. The panels, components, and equipment shall be matte black.

1. 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;~~ Solar panels which are mounted to roof plane facing a street or are visible from a street or roadway, shall be limited to a symmetrical panel grouping. This shall be interpreted to mean the panels shall form a perimeter that is 4-sided, such as a square or rectangle. There may be more than one (1) symmetrical panel grouping

            3.   Solar panels shall project no more than a maximum of ~~18~~ 6 inches above the roof plane and be parallel to the roof plane;

            4.   Solar panels shall not project about 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 (i.e., 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.

 9. Solar panels shall be designed and located to avoid glare or reflection onto adjacent properties and roadways. They shall not interfere with traffic or create a safety hazard.

Article VI. – shall be amended as follows:

**Section 6.02 (B)(1) Residential Districts:** Balconies, stoops, stairs, chimneys, bay windows, and roof eaves/overhangs (a maximum of twelve (12) inches measured from exterior material to fasica board) shall be permitted to extend within a minimum front yard setback to a maximum of 10 feet. Hedges, garden walls, or fences may be built on property lines or as a continuation of building walls.

Section 6.04(A)(4)(a): A single front elevation (denoted as “S” in illustration below) shall not be repeated unless it is separated by at least two (2) different front elevations on either side of the subject elevation (S) and three (3) different front elevations across the street (shown as “1” in the illustration below). Elevations denoted as “2” in the illustration below may be the same front elevation; however, the Town encourages builders to utilize a different color package if the same elevation is chosen. The ARC shall have the right to determine that certain elevations are considered the same elevation, even if they are named differently by the builder. This determination shall be made by the ARC in a public meeting.



Section 6.12 – Exterior Lighting

(A)   *Purpose and intent.*The purpose of these exterior lighting standards is to provide minimum outdoor lighting standards that protect the public safety and the general welfare of the community by reducing unsafe and unpleasant lighting conditions, such as light trespass and light pollution, while also promoting the safe and efficient movement of vehicles and pedestrians and the security of local properties.

   (B)   *General requirements.*All exterior lighting shall comply with the following requirements:

      (1)   *Mounting height measurement.*For the purposes of this section, the mounting height of all light fixtures shall be defined as the vertical distance between the grade level of the surface being illuminated and the top of the lighting fixture (luminaire).

      (2)   *Use of timers/dimmers.*Wherever practicable, exterior lighting shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unnecessary lighting.

      (3)   *Electrical service.*The electrical service to all outdoor lighting fixtures shall be underground, unless the fixtures are mounted directly on buildings or utility poles.

      (4)   *Holiday lighting.*Holiday lighting shall be exempt from the provisions of this section.

      (5)   *Light trespass.*Light trespass into the night sky and onto neighboring properties shall be prevented through the use of such techniques as horizontally mounted lamps with reflectors, glass, polycarbonate or acrylic refractors, louvered optics, and house-side shields.

(C)    *Streetlights.*Street lighting shall comply with the following design criteria and be required as described herein:

      (1)    Street lighting shall be adequate to light all road intersections, curves, cul-de-sacs, and entrances into, along, and within a development.

(2) Light column foundations shall extend no more than four inches above finish grade, unless otherwise approved by the Zoning Administrator, and shall be installed in accordance to the Building Code and/or manufacturer specifications.

(3) Luminaire light source shall be composed of high-power LEDs, or Light Emitting Diodes.

(4) All equipment, including but not limited to the light column, luminaire and additional fixtures shall remain the property of the developer, property owner, or the homeowners association who shall be responsible for all of the maintenance of the equipment as well as all operational cost of the equipment.

(5) Record drawings shall be provided in digital format to the Town Manager upon completion of installation of the lighting system, said format to use the Auto-Cad software program or its approved equivalent.

(6) The streetlighting shall be placed away from the street on the backside of the curb a minimum of one and one-half feet.  If there is not a curb, the lighting shall be placed one and one-half feet off of the roadside of the sidewalk or multi-use path.

(7) At the time a subdivision or development is transferred from the builder/developer to the HOA, the streetlights and all their components shall be owned fee simple. Streetlight leases may not be transferred to an HOA.

(8) Notwithstanding other requirements of this section all streetlight units shall include a pole, luminaire, and all other necessary parts and equipment, and shall be placed at a minimum at all intersections, curves, cul-de-sacs, and entrances to any development.

(9) All luminaires shall have a full cutoff light fixture and meet the Backlight, Uplight, and Glare ratings, commonly referred to as BUG rating, specified below. The metrics for determining compliance with these ratings shall be determined using the testing procedures and requirements identified by the Illuminating Engineering Society (IES), and confirmation of compliance with the ratings shall be provided by the lighting vendor, lighting manufacturer, or other lighting professional.

 (a) Backlight (B): Equal to or less than four (4);

 (b) Uplight (U): Zero (0);

 (c) Glare (G): Equal to or less than two (2).

 (10) Streetlights, shall be required along CR 900N, CR 750N (W Broadway to eastern-end of Town Center), CR 600N, CR 600W (from the railroad tracks to CR 750N), W Broadway (from CR 750N to SR 234), and SR 234 (from SR 67 to the eastern-end of Town Center) as further described below:

 (a) Streetlights shall be placed every 125 feet on center, directly across the street from existing or planned streetlights;

 (b) If a median is present, the Town Council may elect to allow streetlighting to be placed within the median, at similar spacing. The Council may require dual luminaires on such streetlights to ensure appropriate lighting levels, or elect to use a streetlight with a mast arm(s);

 (c) Streetlights shall have a maximum mounting height of eighteen (18) feet;

 (d) All poles, bases, and components shall be black;

(e) All luminaires shall be LED;

 (f) Direct-burial poles shall be prohibited;

 (g) Streetlights shall be as shown in Exhibit A, or as otherwise approved by the Plan Commission.

 (11) Streetlights, shall be required along CR 600W (from CR 1000N to the railroad tracks and from CR 750N to the southern corporate limits) and W Broadway (from CR 700W to CR 750N and from SR 234 to the eastern corporate limits) as further described below:

(a) Streetlights shall be placed every 125 feet on center, directly across the street from existing or planned streetlights;

 (b) If a median is present, the Town Council may elect to allow streetlighting to be placed within the median, at similar spacing, or in addition to the streetlight noted above. The Town Council may require dual luminaires on such streetlights to ensure appropriate lighting levels, or elect to use a streetlight with a mast arm(s);

 (c) Streetlights shall have a maximum mounting height of thirty (30) feet;

 (d) All poles, bases, and components shall be black;

(e) All luminaires shall be LED;

 (f) Direct-burial poles shall be prohibited;

 (g) Streetlights shall be as shown in Exhibit B, or as otherwise approved by the Plan Commission.

 (12) Streetlights shall be required along all new (public) Local streets as further described below:

(a) Streetlights shall be placed at a minimum of every 200 to 250 feet on property lines staggered on opposite sides of the street and at intersections, curves, cul-de-sacs, and entrances to any development.

(b) Streetlights shall have a maximum mounting height of eighteen (18) feet;

 (b) All poles, bases, and components shall be black;

(c) All luminaires shall be LED;

 (d) Direct-burial poles shall be prohibited;

 (e) Streetlights shall be as shown in Exhibit A, or as otherwise approved by the Plan Commission.

(13) If streetlighting is not required along a roadway, a streetlight shall be installed at all intersections along the perimeter of proposed development project. The type of streetlight, for perimeter intersections, shall be determined by the Plan Commission.

   (E)   *Illuminated canopy requirements.*Lighting levels under canopies for gas stations, convenience stores, drive-up banking centers, and similar locations shall be adequate to facilitate the activities taking place on the property and shall not be used for the purpose of illuminating signs. Such lighting shall be in compliance with the following requirements:

      (1)   *Lighting fixtures.*Lighting fixtures on canopies shall comply with either of the following requirements:

         (a)   All light fixtures mounted on the canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy, or

         (b)   The lighting of the canopy shall use indirect lighting through which light is beamed upward and then reflected down from the underside of the canopy by light fixtures that are shielded so that illumination is focused exclusively on the underside of the canopy.

      (2)   *Fixture location.*Lights shall not be mounted on the top or sides of any canopy and the sides of the canopy shall not be illuminated. In no instances shall this be interpreted as prohibiting the placement of signs on the canopy which are illuminated consistent with the standards for sign illumination in this section.

   (F)   *Lighting of outdoor athletic/performance facilities.*Lighting for all outdoor athletic and performance facilities and events shall provide adequate light for the event or facility while minimizing light pollution and the illumination of adjacent streets and properties.

      (1)   *Play/performance area lighting.*Lighting fixtures for the playing fields and/or performance areas shall be specifically mounted and aimed so that their beams fall directly within the play/performance area and its immediate surroundings and does not spill onto adjacent streets or properties.

      (2)   *Dual lighting system.*The use of spotlights and/or floodlights to illuminate the play/performance area shall be permitted. However, each facility shall be designed and constructed with a dual lighting system which permits the main lighting for the event (spotlighting, floodlighting, and the like) to be turned off, with an alternate low level lighting system used for clean-up, night maintenance and other activities.

      (3)   *Exemptions.*Outdoor athletic fields and courts established as accessory uses to single and two-family residences shall be exempt from these requirements.

   (G)   *Security lighting.*Security lighting shall be coordinated with other lighting on the property to the extent possible and shall otherwise be in compliance with the following requirements:

      (1)   *Non-residential lighting fixtures.*All security lighting in non-residential areas shall be shielded and specifically aimed so that illumination is directed only to the intended area. The light source for any security lighting shall include shields that prevent their light source or lens from being visible from adjacent properties and/or streets. Security lighting fixtures may be mounted on poles located no further than ten feet from the perimeter of the area intended to be illuminated.

      (2)   *Residential lighting fixtures.*Security lighting fixtures in residential areas shall make use of indirect and reflected lighting techniques to provide soft lighting under canopies, entry porches, or soffits.

   (H)   *Lighting of building facades.*Building facades may be illuminated, subject to the following requirements:

      (1)   *Lighting fixtures.*Lighting fixtures shall be located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets or roads.

      (2)   *Lighting direction.*Lighting fixtures shall be designed to wash the facade of the building with light (rather than providing a spot or floodlight affect) and may be directed upward or downward onto the facade. Exterior facade lighting shall be contained on the building facade or in the landscape areas adjacent to the building and shall focus on entries and architectural features.

   (I)   *Sight lighting.* Lighting for parking lots and other on-site lighting not addressed elsewhere in this chapter shall be as follows:

      (1)   All light fixtures shall be fully recessed into the fixture housing;

      (2)   All lighting fixtures and poles within a single development shall be consistent in style, color, size, height, and design;

      (3)   All lighting fixtures and poles shall be decorative and compatible with the architecture of the building;

      (4)   The maximum mounting height for free-standing lighting fixtures is 25 feet;

      (5)   Shielding may be required by the Administrative Officer to prevent glare and other lighting concerns on adjacent properties and for the benefit of the motoring public;

      (6)   Required pedestrian facilities in Town Center or Old Town must be illuminated with pedestrian scaled lighting;

      (7)   Light levels at property lines (except along rights-of-way) are limited to 0.3 footcandles. If a neighboring property is used for or zoned residential the light level is further limited to 0.1 footcandles.

(8)   If the development is an apartment complex, condominium or other form of multi-living arrangement, the same requirements as set forth above shall apply in addition to which the lighting fixtures at the entrances shall be 5.0 foot-candles, the lighting around parking and building areas shall be 1.0 foot-candles

(Ord. 121410, passed 1-11-2011; Ord. 111114, passed 11-11-2014; Ord. 041216-A, passed 4-12-2016; Ord. 111020C, passed 12-8-2020)

Section 11.04 – Violation Procedures

(A)(1): Notice of Violation: The Administrative Officer, or his or her designee, shall issue a Notice of Violation to the property owner(s) committing, in whole or in part, a violation. The Notice of Violation is a warning to the violator(s) that a violation has been observed and that it must be corrected within fifteen (15) days from the date of the Notice of Violation. The Notice of Violation shall be mailed via Certified Mail, Return Receipt Requested by the Administrative Officer, or his or her designee, or may be hand-delivered by Town staff, who will execute an affidavit certifying delivery. If the violation is abated within the specified time frame, the matter will be closed and the landowner will not incur any fines or penalties.

(A)(2): Notice of Penalty for Violation: If a violation is not abated within the specified time frame in the Notice of Violation, the Administrative Officer, or his or her designee, shall issue a Notice of Penalty for Violation to the property owner(s) committing, in whole or in part, a violation. The Notice of Penalty for Violations is a citation that states the penalty for the violation. The Notice of Penalty for Violation shall be mailed via Certified Mail, Return Receipt Requested by the Administrative Officer, or his or her designee, or may be hand-delivered by Town staff, who will execute an affidavit certifying delivery. The property owner(s) in violation will have a fifteen (15) days from the date of the Notice of Penalty to pay all applicable penalty and correct the violation. If the Administrative Officer, or his or her designee, determines that the violation has not been corrected within the specified time-frame, the Administrative Officer may apply additional penalty and/or any other enforcement action authorized by this Ordinance.

(A)(3): Legal Action: If the property owner(s) in violation refuses to pay the penalty, attorney's fees, court costs, and/or correct the violation within the time frame specified by the Notice of Penalty for Violation, the Administrative Officer may refer the violation to the Board of Zoning Appeals (BZA) attorney in order to pursue court action through a court of competent jurisdiction. Additional penalty, attorneys fees, and liens against the property may also be pursued until the matter is resolved.

(B)(3) Payment: The payment of any violation shall be by cash, cashier’s check, or credit card and shall be delivered to the Administrative Officer, his or her designee, or paid through the online permit system, who shall forward the funds to the Clerk-Treasurer for deposit in the appropriate fund.

(D) Legal Remedies: The Administrative Officer via the Board of Zoning Appeals (BZA) attorney may bring an action in a court of competent jurisdiction to invoke any legal, equitable, or special remedy, for the enforcement of any ordinance or regulation created under IC 36-7-4, as amended from time to time.

(D)(1)(b): All agreements with the Board of Zoning Appeals (BZA) or its designees that have been established as written commitments in recordable form;

Definitions

Retail, Bargain: A retail establishment that specializes in selling any of the following: goods at reduced prices; a wide range of retail goods at a specific price point that is approximately one dollar ($1.00); inexpensive items usually priced at one dollar or a few dollars; repurposed or second-hand goods.

Restaurant, Fast Casual: A commercial establishment where customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or which are able to be taken to a table or counter to be consumed. However, unlike fast food, the food is not prepared prior to the customer ordering.

Co-Working Space: A commercial establishment functioning as an office for those who are self-employed or working for different employers. The space shall offer communal office equipment and features, and space for creative thought, knowledge and ideas to be shared.

Appendix A: Official Schedule of Land Uses

Add Retail, Bargain as a Special Exception in the CN, TC, & CR Zoning Districts.

Add Co-Working Space as a Permitted Use in the PBO, CN, & TC Zoning Districts, and as a Special Exception in the OT & CR Zoning Districts.

Add Restaurant, Fast Casual as a Special Exception in the CN & TC Zoning Districts, and as a Permitted Use in the CR Zoning District.