

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 121410, THE ZONING ORDINANCE
FOR THE TOWN OF MCCORDSVILLE, INDIANA

WHEREAS, the Town Council of the Town of McCordsville, Indiana, has heretofore adopted Ordinance No. 121410 as the Zoning Ordinance; and

WHEREAS, the Town Council of McCordsville, Indiana has, after a public hearing was held on August 16, 2022, received a _____ recommendation from the McCordsville Advisory Plan Commission requesting an amendment to the Zoning Ordinance in order to adopt the Sycamore Drive Planned-Unit Development (PUD) Ordinance.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of McCordsville, Indiana that Ordinance No. 121410 is hereby amended as follows:

Section 1. The real estate more particularly described in the attached “Exhibit A” (the “Real Estate”) is hereby zoned to the PUD designation. The Development and Architectural standards set forth in this Ordinance shall govern the development of the Real Estate, and these standards shall replace all other standards set forth in the Town of McCordsville Zoning and Subdivision Control Ordinances, as amended. Where this Ordinance is silent regarding standards, the standards from the McCordsville Zoning and Subdivision Control Ordinances, dated January 2011, as amended, shall apply.

Section 2. Intent. The Sycamore Drive PUD provides strict design requirements which are compiled with the intent to produce a fully managed residential neighborhood of single-family homes.

Section 3. Permitted Uses. The permitted uses, as defined by the McCordsville Zoning and Subdivision Control Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

Permitted Primary Uses:

Single-family residential dwellings

Permitted Accessory Uses, Incidental Uses, and Structures:

Permitted pursuant to this Ordinance

Permitted Temporary Uses:

Those permitted pursuant to the Town’s Zoning Ordinance

Section 4. Development Standards. The development shall comply with the Preliminary Planned Unit Development Plan/Concept Plan attached hereto as “Exhibit B”. All development shall comply with the following standards:

A. The Development Standards

1. Maximum Number of Lots/Dwelling Units	153
2. Minimum Lot Area	5,980 square feet
3. Minimum Lot Width at Building Line	52 feet (48' for lots on cul-de-sac or curve radius)
4. Minimum Setbacks:	
a. Front-yard Setback	40 feet
b. Side-yard Setback	8 feet
c. Rear-yard Setback	15 feet
5. Minimum Livable Floor Area	
a. One-story	1,600 Square Feet
b. Two-story	1,800 Square Feet
6. Maximum Height-Principal	35 feet
7. Maximum Dwelling Units per Lot	1
8. Maximum Lot Coverage	40%

The Sycamore Drive PUD will provide a minimum of 50% open space as generally shown in the Concept Plan. Drainage facilities shall be permitted as part of the open space calculation. The gross density of the Sycamore Drive PUD will not exceed 2.25 units per acre.

B. Architectural Standards:

The Architectural Standards for the Real Estate are attached as “Exhibit C”.

C. Landscaping Standards:

Standards of the Town’s Zoning and Subdivision Control Ordinance regarding Landscaping shall be applicable to the Real Estate with the following exceptions:

1. The perimeter landscape areas along CR 650N shall be minimum of thirty (30) feet in width, except said thirty (30) feet shall be allowed to be reduced along the deceleration and acceleration lanes by the same off-set of said lanes typical to the drive lane edge to the east and west of the deceleration and acceleration lanes, feature undulating mounding between three and four feet in height (measured from grade of centerline of 650N), and feature the following plantings per one hundred (100) lineal feet:
 - a. Two (2) deciduous canopy tree with a min. 2” caliper.
 - b. Two (2) ornamental tree with a min. 1.5” caliper or 6’ tall at time of planting.
 - c. Three (3) evergreen tree with a minimum height of 6’ at the time of planting.
 - d. Eight (8) shrubs with a minimum height of 24” at the time of planting.
 - e. Mulching for plantings shall be individual rings or grouped. Mulch shall not be installed in continuous beds on top of the mounding.

- f. Planting counts within sections of the perimeter landscape area constrained by the deceleration and acceleration lanes shall be allowed to be reduced in proportion to the percentage reduction in perimeter landscape area width.
2. The west property line shall be screened as follows:
 - a. A tree conservation easement (TCE) no less than ten (10) feet wide shall be provided along the western property line from the southern right-of-way line of CR 650N to the south property line.
3. The east property line shall be screened as follows:
 - a. A tree conservation easement (TCE) no less than nineteen (19) feet wide shall be provided along the eastern property line from the southern right-of-way line of CR 650N to the northside of the legal drain easement. A tree conservation easement (TCE) no less than nine (9) feet wide shall be provided along the eastern property line from the southside of the legal drain easement to the south property line.
4. The south property line shall be screened as follows:
 - a. A tree conservation easement (TCE) no less than ten (10) feet wide shall be provided along the southern property line for the entire width of the parcel.
 - b. North of the required TCE, but south of the transmission line easement mounding will be installed, a minimum of three (3') feet in height as generally shown on the Concept Plan.
5. The parking lots for the sales office and dog park/playground shall be landscaped in accordance with the Town's commercial perimeter parking lot planting requirements.

D. Pedestrian Accessibility:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Pedestrian Accessibility shall be applicable to the Real Estate with the following exceptions:

1. Perimeter sidewalk a minimum of five (5) feet in width shall be installed along CR 650N for the width of the frontage of the Real Estate.
2. All truncated domes shall be black in color.
3. An internal trail system shall be provided as generally shown on the Concept Plan. Such trails shall be paved.

E. Lighting, Parking, and Signage:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Lighting, Parking, and Signage shall be applicable to the Real Estate with the following exceptions:

1. All homes shall include a minimum of two (2) dusk to dawn lights on the front elevation.

F. Roadway:

Standards of the Town's Zoning and Subdivision Control Ordinance regarding Streets, Roadways, and Right-of-way shall be applicable to the Real Estate with the following exceptions:

1. Rights-of-way (ROW) shall be dedicated to the Town as denoted below:
 - a. Minimum half-width ROW of thirty (30) feet on CR 650N
 - b. Minimum ROW fifty (50) feet for internal streets, with the minimum back-of-curb to back-of-curb being thirty (30) feet in width.
2. The Town shall not be responsible for any maintenance or repairs on any alley, nor any roadway which is not built to town standards and/or not dedicated and accepted as public right-of-way.
3. The Town shall not be responsible for any maintenance on any landscaping, fencing, or signage located in public right-of-way.
4. The Town shall not be responsible for snow removal on any internal street, road, or alley not dedicated and accepted by the Town as public right-of-way.
5. The following traffic improvements shall be constructed:
 - a. Acceleration and deceleration lanes, in conformance with town standards, at all access points into the development from any local-collector, collector, and/or arterial roadway.
 - b. Passing blisters or left-turn lanes, in conformance with town standards, at all access points as required by the Town Engineer.
6. Street name signage and traffic control signage shall be installed consistent with the quality and character shown on Exhibit "D".
7. Any block length equal to or greater than 800 feet in length shall feature traffic calming measures, including but not limited to:
 - a. Street trees
 - b. Traffic circles or bridges
 - c. Neck-downs for pedestrian crossings
 - d. Chicanes
 - e. Other features as approved by the Town Engineer.

G. Miscellaneous

1. Section 4.17 shall not apply to the Real Estate.
2. Decorative fountain(s) shall be installed in all detention/retention facilities. Such fountains shall be illuminated.
3. Developer commits to creating a set of covenants and restrictions to be recorded on the property, and subject to Plan Commission approval.
4. All driveways shall be concrete.
5. Community Amenities, consisting of a minimum of one (1) dog park, one (1) play-ground and trails, as generally shown on the Concept Plan shall be provided. Additional amenities may be provided.
6. Fences: Fences shall be prohibited with the exception of fencing for the communal dog park. The dog park fencing shall be black wrought-iron, aluminum, or an equivalent like material.

7. Temporary Signage: *This language is still being discussed and will be prepared prior to the 1st reading by the Council on the PUD Ordinance.*
8. A four (4) inch yellow thermoplastic stripe shall be placed on the top of the curb adjacent to any fire hydrant within the subdivision. This stripe shall extend ten (10) feet out from the hydrant in both directions.
9. Accessory Structures: Only permanent accessory structures, in accordance with the applicable Zoning and Building Codes, shall be permitted. Examples of such accessory structures are patios and decks. Structures such as carports, sheds, above ground pools, and the like, of any kind or size shall be prohibited. Hot tubs may be permitted if placed on a deck or patio, that has been constructed in compliance with all applicable codes and is approved by the management company. This shall not be interpreted to prohibit the installation of playground equipment installed within designated common area as shown on the Concept Plan.
10. Code Enforcement: The Town's collective code enforcement rules shall apply to all property within the Real Estate. The property owner and/or management company and/or representative of record, will be held responsible, and all code enforcement action will be directed to the property owner and/or management company and/or representative of record and not the renter of the property.
11. Renting of Rooms: The renting of individual rooms, or any portion of the dwelling unit, but not the entirety of a dwelling unit, is strictly prohibited. This shall also apply to sub-leases. A dwelling unit shall only be rented/leased to a family as defined within this ordinance.

H. **Definitions:**

1. Minimum Home Size: total square feet of a unit, excluding garages, rear porches, front porches, and any decks, patios, or balconies.
2. Stone: shall not be interpreted to include concrete masonry units (CMU).
3. Decorative Garage Door: garage doors with windows, upgraded trim features, and the like shall be considered decorative garage doors. Two illustrative examples are included in Exhibit C-1. Exhibit C-1 shall not be interpreted to represent the actual decorative garage doors that will be used in this project.
4. Tree Conservation Easement (TCE): Within a TCE no trees with a diameter at breast height (DBH) of six inches (6") or greater shall be removed by the builder, developer, owner, or anyone acting on their behalf or at their request, unless the tree is damaged, diseased, an invasive species, dead, or must be removed in order to: (a) comply with the safety requirements of any governmental agency, (b) to accommodate the installation and/or maintenance of drainage improvements, following a determination by the Town Engineer that the drainage improvements/maintenance are deemed necessary in this location, or (c) install a walking path generally consistent with the Concept Plan. Any person or organization that removes a tree(s) in a manner inconsistent with easement language shall be required to replace the removed tree(s) with new planting(s) that are equal to or greater than the total DBH of the removed tree(s). The location of the new trees shall be determined by the Zoning Administrator, and such replacement trees shall be installed within 30 days of notification by the zoning administrator. The minimum size of

replacement trees shall two inches (2") DBH for deciduous trees and eight feet (8') tall for evergreen trees.

5. **Family:** An individual, or two (2) or more persons related by blood, marriage, or adoption including father, mother, grandparents, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister or any ward living within the same household, or a group of not more than (2) persons, not related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit. A family does not include any society, club, fraternity, sorority, or group living in a boarding house, hotel, motel, bed and breakfast facility, lodging house, rooming house, or club, any group of individuals whose association with each other is seasonal or any individuals who are in group living arrangements as a result of criminal activity. The Zoning Administrator may request documentation proving authorized family relationship, as described above. That documentation shall be by official government documents and be provided within 10 days of being requested to do so.
6. **Vehicles:** All resident vehicles shall be limited to no more than four (4) per dwelling unit and overnight parking shall be limited to the garage and/or the driveway and no encroaching upon the sidewalk, walking path, or multi-use trail. This language shall be added to the Covenants and Restrictions.

Section 6. This Ordinance shall remain in full force and effect from and after its passage and posting as required by the law within the Town of McCordsville, Indiana.

Section 7. Introduced and filed on the ____ day of _____, 2022. A motion to consider on the first reading on the day of introduction was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this ____ day of _____, 2022 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:

Thomas R. Strayer

Larry J. Longman

Gregory J. Brewer

Chad D. Gooding

Branden D. Williams

Voting Opposed:

Thomas R. Strayer

Larry J. Longman

Gregory J. Brewer

Chad D. Gooding

Branden D. Williams

ATTEST:

Staci A. Starcher, Clerk-Treasurer

This instrument was prepared by Ryan Crum.

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”

LEGAL DESCRIPTION

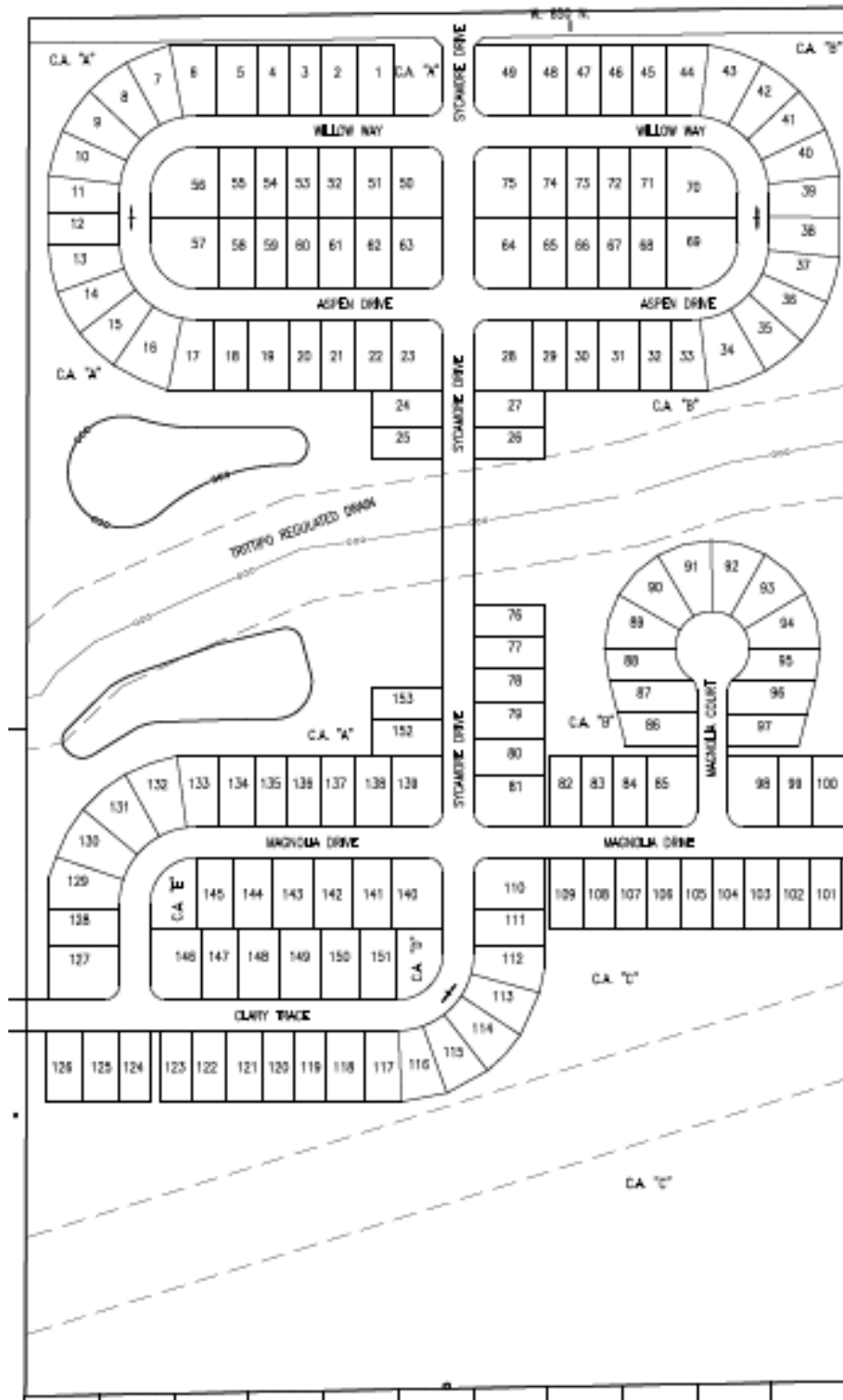
The East Half of the Southwest Quarter of Section 35, Township 17 North, Range 5 East of the Second Principal Meridian in Hancock County, Indiana and excepting twelve acres of uniform width off the entire south side thereof being a 68.33 acre tract of land shown on the plat of a boundary retracement survey of said tract certified by Steven W. Reeves PLS #20400005 on May 17, 2022 as HWC Engineering project number 2022-016-S (all references to monuments and courses herein are as shown on said plat of survey) being more particularly described as follows:

COMMENCING at a Harrison monument at the Northwest corner of the Southwest Quarter of said Section 35; thence North 89 degrees 11 minutes 26 seconds East (basis of bearing - Indiana State Plane Coordinate System - East Zone) along the North line of said Quarter a distance of 1,334.83 feet to the northwest corner of the East Half of said Southwest Quarter, being also the northeast corner of the Sagebrook Subdivision Section 4, as per plat thereof recorded as Instrument No. 202002605 in the Office of the Recorder of said County; thence continuing North 89 degrees 11 minutes 26 seconds East along the North line of said Half-Quarter a distance of 1,334.83 feet to the northeast corner of said Quarter; thence South 00 degrees 04 minutes 08 seconds West along the East line of said Quarter a distance of 2,225.12 feet to the northeast corner of Country View Estates, as per plat thereof recorded in Plat Cabinet B, Slide 236 as Instrument No. 9410049; thence South 88 degrees 58 minutes 00 seconds West along the north line thereof a distance of 1,337.60 feet to the West line of the East Half of said Southwest Quarter and a point on the east line of the Sagebrook Subdivision Section 1, as per plat thereof recorded as Instrument No. 201704283; thence North 00 degrees 08 minutes 16 seconds East along the West line of said East Half a distance of 2,230.39 feet to the Point of Beginning.

Containing 68.33 acres, more or less.

“Exhibit B”

Concept Plan



“Exhibit C”

Architectural Standards

All primary structures constructed on the Real Estate shall have the following minimum standards:

1. Homes located adjacent to and directly across the street from each other shall not be of the same front elevation or a like-elevation as determined by the ARC.
2. No front elevation shall be built on more than 17% of the lots.
3. Exterior siding materials are limited to brick, stone (CMU prohibited), glass, wood, and fiber cement. Vinyl siding is prohibited.
4. Satellite dishes and the like shall only be permitted on rear elevations. Rear elevations facing 650N shall be prohibited from featuring satellite dishes and the like.
5. Window A/C units and the like are prohibited.
6. The heavier material shall always be used below a lighter material.
7. Each home must feature a minimum of 50% brick or stone on the front elevation, excluding doors, windows, and other openings.
8. The exterior material of front elevation returns shall match the exterior material of the adjacent front facing façade.
9. The permitted roofing materials are dimensional shingles, copper, slate, and stone. High quality, standing seam metal roofing is only permitted as an accessory roofing material and must be approved by the ARC.
10. Roof Pitch: The primary roof pitch shall be 6:12 or greater. Ancillary roofs may be less than 6:12 if approved by the ARC.
11. Exhaust vents shall not be visible from the front elevation of a home. Additionally, no wall-mounted vent or louver shall be located on the first floor of a front elevation (excluding gable areas).
12. Exterior chimneys for fireplaces shall be made entirely of masonry, unless placed on the rear exterior wall of the residence. Chimneys that do not originate on an exterior wall that protrude through the roof may be of material other than masonry, excluding aluminum.
13. Overhangs are required along all facades. No overhang shall extend less than twelve (12) inches from the exterior façade where the façade consists of siding at the eaves, and a minimum of eight (8) inches from the exterior façade where the façade consists of brick or stone at the eaves. This measurement does not include the gutter system.
14. Unless adjacent to brick/stone wrap, all windows, doors and corners shall have a minimum nominal one inch by six-inch wood or fiber-cement surround or shutters, decorative trim or headers.
15. Minimum window quantities shall be required as noted below.
 - a. Single-story homes
 - i. Front elevations shall have a minimum of three (3) windows or two (2) windows and one (1) window in the front door
 - ii. Side elevations shall have a minimum of two (2) windows
 - iii. Rear elevations shall have a minimum of four (4) windows

- b. Multi-story homes:
 - i. Front elevations shall have a minimum of four (4) windows or three (3) windows and one (1) window in the front door
 - ii. Side elevations shall have a minimum of two (2) windows
 - iii. Rear elevations shall have a minimum of four (4) windows
- 16. The front elevation of all homes must have at least one point of wall plane articulation of at least two (2) feet in depth and a gable.
- 17. High Visibility Lots: Certain lots are considered high visibility lots and the following standards shall apply:
 - a. The lots denoted with a red circle on Exhibit C-3 shall be required to feature the following:
 - i. At least one (1) gable on the rear facade;
 - ii. At least one point of articulation in the rear façade within a minimum depth of two (2) feet; and
 - iii. Minimum brick or stone wainscot wrap.
 - b. The lots denoted with a blue circle on the Exhibit C-3 shall be required to feature the following:
 - i. Minimum brick or stone wainscot wrap; and
 - ii. Minimum three (3) windows in any side façade facing a street.
- 18. All garage doors shall be decorative garage doors similar to the examples in Exhibit C-1.
- 19. The minimum garage size shall be three hundred and ninety-eight (398) square feet.
- 20. Any front-loading three-car garage shall have one bay separated from the others and be recessed or projected a minimum of two (2) feet from the other bay(s).
- 21. Any front-loading garage that protrudes eight (8) feet to twelve (12) feet forward of the dwelling shall have at least one (1) window on the house side elevation of the garage. This window shall not count towards any other window requirement. No front-loading garage shall protrude more than twelve (12) feet in front of the front elevation. Garage protrusion shall be measured by determining the distance from the farthest protruding front façade of the garage and the widest portion of the front façade of the front elevation.
- 22. Any side-load, courtyard-load, or rear-load garage shall feature a minimum of two (2) windows in the garage façade facing the street. These windows shall not count towards any other window requirement.
- 23. Front-loading two-car garages shall not exceed 45% of the width of the front elevation and three-car garages shall not exceed 50% of the width of the front elevation.
- 24. All porch columns shall be a minimum of eight (8) inches by eight (8) inches (nominal), unless otherwise approved by the ARC.
- 25. All homes shall feature a covered entry. Front porches are required to be a minimum of four (4) feet in depth.
- 26. Elevation Approval: The Town's Architectural Review Committee ("ARC"), the ARC reviewed and approved a set of home plan elevations that are on file with the Town's Planning and Building Department (the "Approved Elevations"). The Approved Elevations are hereby incorporated and approved. Homes in the "Approved Elevations" do not need further review by the ARC except for anti-monotony purposes.
 - a. All homes not included in the "Approved Elevations" shall comply with the Development Standards set forth in this Ordinance. The Director of Planning and Building ("Director"), including his or her designees, shall review home

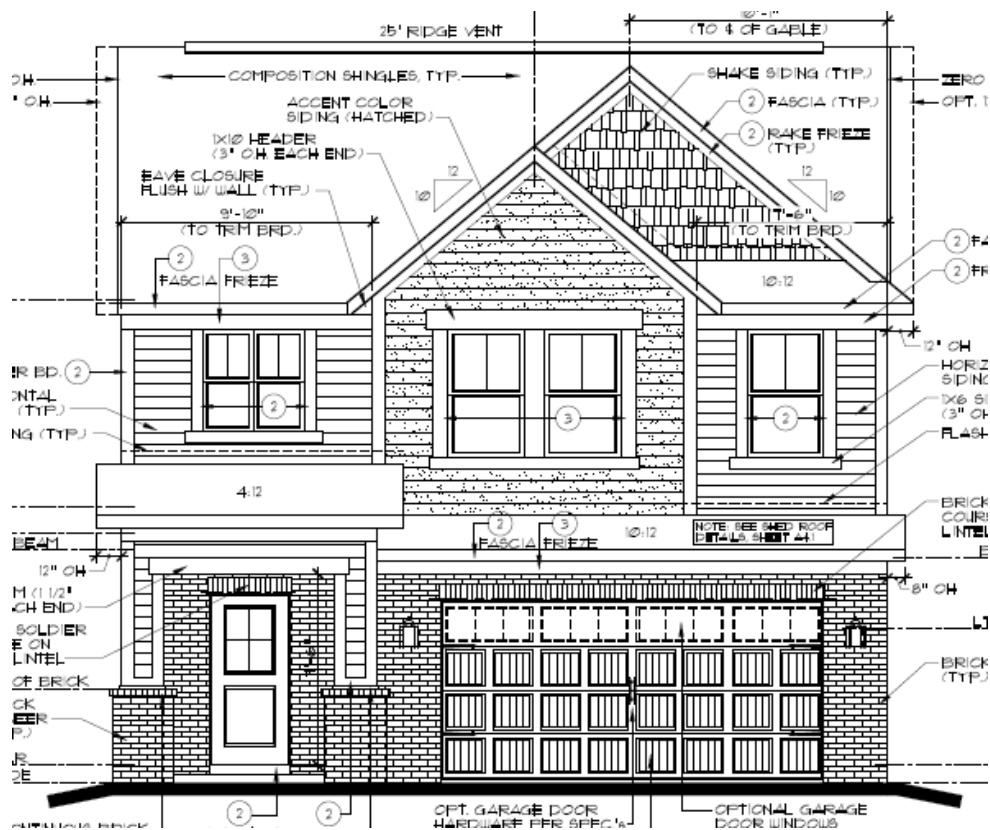
- elevations at the time of filing for a building permit for compliance. All homes shall go through an anti-monotony review with the ARC.
- b. All homes not included in the “Approved Elevations” shall comply with the standards set forth in Exhibit C of this Ordinance and shall be substantially similar in quality and character to the homes in the “Approved Elevations”. The Director of Planning and Building (“Director”), including his or her designees, shall review home elevations at the time of filing for a building permit for compliance. All homes shall go through an ant-monotony review with the ARC.
 - c. If a proposed home does not comply with Exhibit C of this Ordinance, then the proposed home may be submitted for review by the ARC. The ARC may approve an elevation if it is determined the elevation is similar in quality and character to the homes in the “Approved Elevations” and is consistent with the spirit and intent of the PUD, as determined by the ARC.
27. Community amenities, such as pool-houses, clubhouses and the like shall be required to comply with the architectural standards for the applicable district, and shall have a similar design, theme, materials, and compatible architecture as the residential structures.

“Exhibit C-1”

Decorative Garage Doors

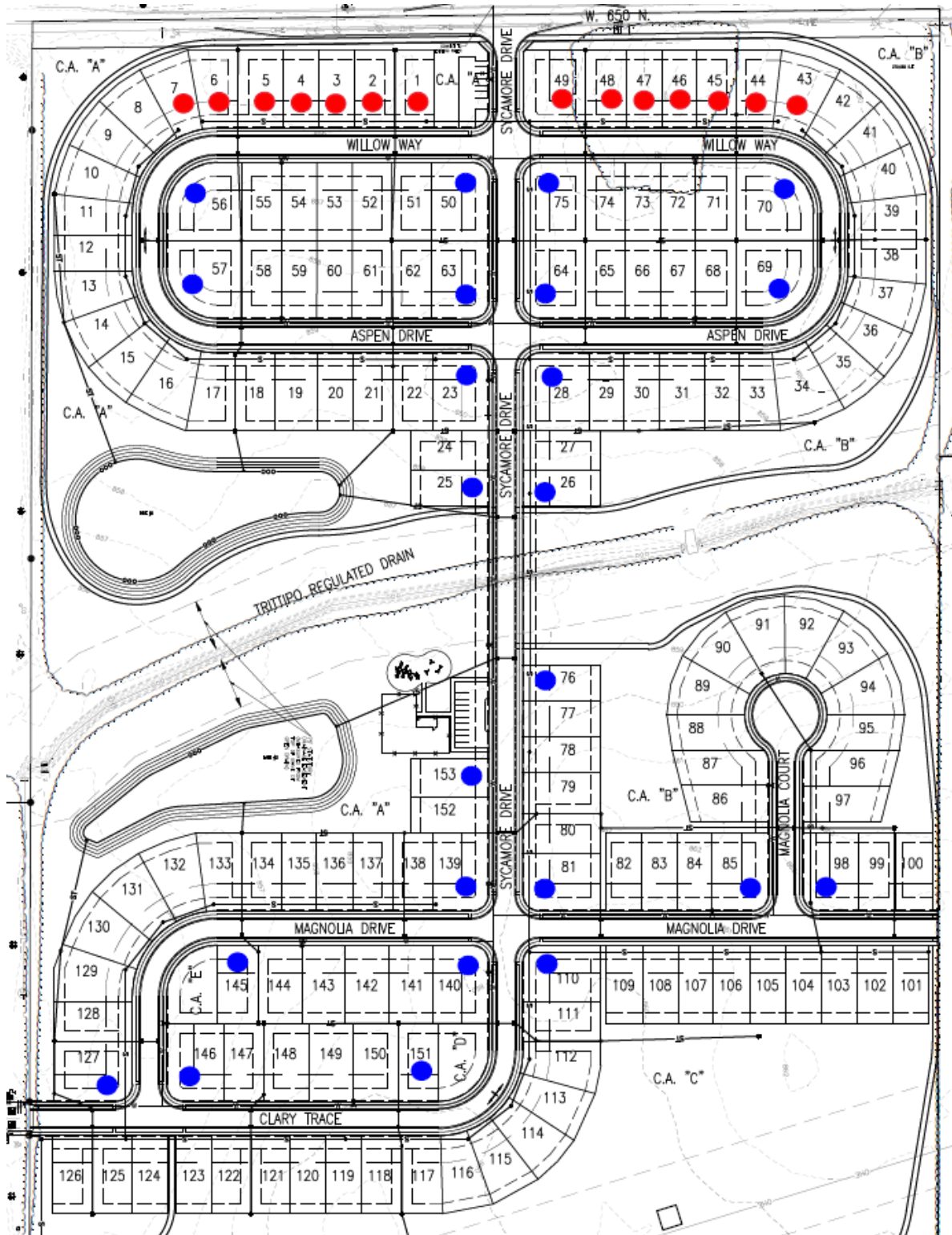


Illustrative Architectural Renderings



“Exhibit C-”

High Visibility Lots



“Exhibit D”

Street Name & Traffic Control Signage Exhibit

