

ORDINANCE NO. 041216-A

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 March 15, 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, and Subdivision Control Ordinance No. 121410A, as amended, are hereby amended as described in Exhibit A, attached hereto.

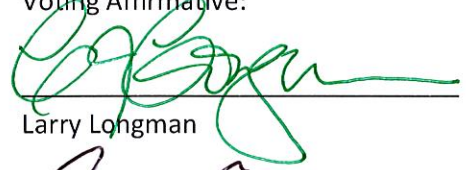
This ordinance was introduced and filed on the 12th day of April, 2016. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of in favor opposed pursuant to I.C. 36-5-2-9.8.

This ordinance was duly ordained and passed on this 12th day of April, 2016 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of 5 in favor and 0 opposed. This Ordinance becomes effective on May 9, 2016.

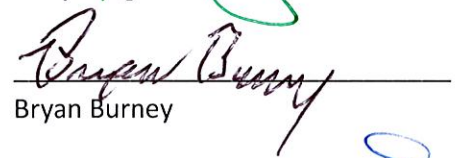
TOWN OF McCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL

Voting Affirmative:

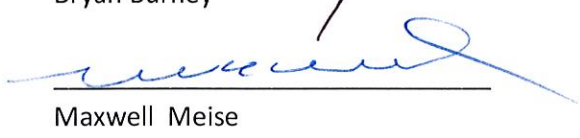
Voting Opposed:


Larry Longman

Larry Longman

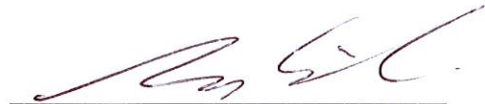

Bryan Burney

Bryan Burney


Maxwell Meise

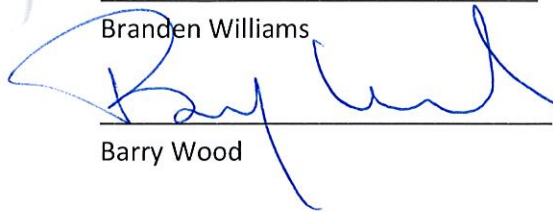
Maxwell Meise

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Branden Williams

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Barry Wood

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ATTEST:



Catherine C. Gardner

Clerk Treasurer

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Exhibit A

Article VII. Sign Standards

The intent of this Article is to further the goals of the Comprehensive Plan; avoid the proliferation of signage; encourage signs to be compatible with the scale of buildings and the surrounding features; maintain and enhance the aesthetic environment of the community; eliminate potential hazards to motorists and pedestrians resulting from signs; and promote the health, safety, and welfare of the residents of McCordsville. Anyone wishing to vary from the following standards is hereby required to obtain a development standards variance from the Board of Zoning Appeals pursuant to this Ordinance.

Noncommercial messages may be displayed on any sign authorized to display commercial messages.

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Article is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the Article.

Section 7.01 Prohibited Signs

Refer to Appendix E, Sign Standards Matrix, for a list of permitted signs, by zoning district. The following types of signs are hereby expressly prohibited from being located within the jurisdiction of the Plan Commission.

(A) Individual Pole Signs

Individual pole signs, or individual free-standing signs, are hereby prohibited from being located within the jurisdiction of the Plan Commission.

(B) Portable Signs

Unless expressly permitted by this Article, all portable signs, including those involving any element of human movement are hereby prohibited from being located within the jurisdiction of the Plan Commission.

(C) Animated Signs

Signs that utilize any flashing lights, motion picture, laser, or visual projection of images or copy in conjunction with any business or advertisement.

(D) Emissions

Signs that emit audible sound, odor or visible matter.

(E) Imitation of Official Signs

Signs that purport to be, are an imitation of, or resemble an official traffic sign or signal or which bear the words "Stop", "Slow", "Caution", "Danger", "Warning", or similar words.

(F) Imitation of Emergency Vehicles

Signs that may be construed as a light of an emergency or road equipment vehicle.

(G) Visual Impairment

Signs that hide any traffic or roadway sign, signal or device from view, or that interfere with the Sight Visibility Standards as defined by this Ordinance (Section 6.07).

(H) Encroachment

Unless otherwise expressly permitted by this Ordinance, signs that are located in any planned right-of-way including those posted on utility poles or street signs are prohibited. Projecting signs specified as permitted in this Article and approved by the Town Council may be allowed to encroach on the public rights-of-way, provided they remain otherwise lawful.

(I) Obstruction

Signs that obstruct any door, fire escape, stairway, or any opening intended to provide entrance or exit for any structure.

(J) Vehicle Signs

Signs placed on vehicles or trailers parked on public or private property primarily for the purpose of displaying the sign, as determined by the Administrative Officer, or his or her designee. Prohibited vehicle signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries, or sales or service calls. Prohibited signs do not include vehicles which are customarily used for transporting persons or properties, or vehicles parked at a driver's place of residence during non-business hours.

(K) Poster Signs

Posters, placards and other similar signs attached to light poles, gas station canopy supports, trees, and elsewhere outdoors that are not included as permitted temporary or permanent signs as described by this Article.

(L) Permanent Roof-Mounted Signs

Signs that are mounted to the roof of a structure or are mounted to the wall of a structure and extend higher than the wall of said structure.

(M) Inflatable Signs

Inflatable signs are hereby expressly prohibited from locating within the jurisdiction of the Plan Commission.

(N) People Signs

Signs which are held by people, and not attached to a building or the ground, that are within the right-of-way are expressly prohibited.

Section 7.02 Exempt Signs

The following signs are exempt from all provisions of this Ordinance if in compliance with the conditions specified for each. A sign permit shall not be required.

(A) Minor Wall Signs

Permanent wall signs constructed using stone, concrete, bronze, precious metals, brick, or other similar material and made an integral part of the structure shall be permitted. No more than one such sign shall be permitted per frontage, per building. The maximum size shall be 4 square feet in a commercial, industrial, Public/Semi-public, or Town Center zoning district, and 1 square foot in a residential and Old Town zoning district.

(B) Minor Ground Signs

Minor grounds signs, which shall be permanent in manner, are permitted in commercial, industrial, and Town Center zoning districts. Such signs are limited to no more than 2.5 square feet of sign area and 3.5 feet in height, as measured from grade. Such signs may be non-illuminated or internally illuminated. Internally illuminated signs shall only illuminate sign content, not the entire sign cabinet. Such signs shall be no closer than two feet from any existing or planned right-of-way. No property, parcel, or lot shall have more than three Minor Ground Signs.

(C) Public Signs

Public signs erected by or on the order of public official(s) in the performance of public duty, such as signs to promote safety, no trespassing, or traffic signs; memorial plaques; signs of historical interest; and signs directing people to public facilities. All such public signs shall require approval of the Administrative Officer, or his or her designee.

(D) Utility Marker Signs

Utility signs necessary to mark cables and lines for public and private utilities unless such signs are determined to be a hazard by the Administrative Officer, or his or her designee.

(E) Emergency Signs

Emergency signs, such as those used and authorized by the Administrative Officer, Public Works Department, utilities, Fire department or Police department, or those places of employment that are required by law to display emergency information for their employees.

(F) Window Signs

No window sign shall exceed 10 percent of the window area, nor shall any individual letter be greater than three inches in size.

(G) Yard Signs

Each property in any residential zoning district and the Old Town zoning district is entitled to yard signage. Such signage shall be limited to three square feet in sign area, and no more than four feet in height, as measured from grade level. Such sign shall be allowed to be displayed no more than three times per calendar year. Each time said sign is displayed is limited to no more than thirty-five consecutive days. All such signs shall be placed a minimum of five feet from any property line or right-of-way line. In no instance shall such a sign be placed within an existing or planned right-of-way or private street. Such sign shall not be illuminated. Additionally, any residential property of less than one acre, that is for-sale/lease is permitted an additional yard sign, in compliance with the standards noted above, until the transaction closes.

(H) Supplementary Wall Signs

Each property in any residential and Old Town zoning district is entitled to Supplementary Wall signage. Such signage shall be limited 3 square feet in sign area, and must be attached the primary structure of the lot. Additionally, the wall sign shall be located no higher than the 12 feet from grade. No more than 1 Supplementary Wall Sign is permitted per lot at any time. Supplementary Wall signs shall be permitted up to two times per calendar year. In no such instance shall a wall sign be up for more than 120 consecutive days. Such sign shall not be illuminated.

(I) Traffic Signs and Pavement Marker

Private directional traffic signs and pavement markings intended to direct and control the movement of traffic into, out of, and within the site shall comply with the Manual on Uniform Traffic Control Devices as published by the Indiana Department of Transportation.

(J) Pond Warning Sign

Permanent pond safety signs are required for all ponds constructed after the effective date of this Ordinance. The minimum size is 1 square foot and the maximum size is 2 square feet. Such signs shall be placed no more than 500 feet apart, with no less than 4 signs per pond. A sign must be placed at all public access areas to the pond. Signs must be constructed of wood, composite wood, or metal. At a minimum such signs shall have the words "No Swimming" and "No Ice Skating", along with the "no swimming" symbol. Such signs shall be installed by the developer and the subsequent maintenance of such shall be the responsibility of the Home Owner's Association or Property Owners Association. "No Swimming" and "No Ice Skating" signs shall be posted at all detention and retention ponds in all developments. In instances where a pond will be stocked with fish or where fishing may otherwise be possible, a sign shall be installed warning that "anyone under the age of 18 must be accompanied by an adult."

(K) A-frame Signs

One A-frame sign may be permitted for each occupied tenant space located on a property in a commercial, industrial, or Town Center zoning district, provided said sign area does not exceed six square feet, and the height does not exceed 4 feet, as measured from grade level. Such signs are to be displayed outside only between the hours of 7:00am and 6:00pm (EST) or 7:00am and 8:00pm (EDT). A-frame temporary signs may be located within the right-of-way, provided the sign is at least five feet from the nearest roadway's travel or parking lane. Under no circumstance can any A-frame sign be located more than 10 feet from a primary structure. A-frame signage cannot be displayed at the same time other temporary signage is displayed.

Section 7.03 General Sign Standards

Except as otherwise expressly provided for by this Ordinance, it shall be unlawful for any property owner(s) to erect, construct, enlarge, move or convert any sign within the jurisdiction of the Plan Commission, or cause the same to be done without first obtaining a sign permit as required by this Ordinance. The following general sign standards apply to all signs within the jurisdiction of the Plan Commission.

(A) Measuring Sign Area & Height

The sign area shall be calculated by multiplying the maximum vertical dimension by the maximum horizontal dimension including the extreme limits of characters, lettering or figures. The sign height shall be measured from the grade at the edge of the adjacent right-of-way to the highest point of the sign, and include any poles or other supports unless otherwise specified in this Article. In no case shall sign height be measured from the top of any berm or other artificial grade.

(B) Inspection

Signs for which a permit is required may be inspected periodically by the Administrative Officer, or his or her designee, for compliance with this Ordinance.

(C) Removal of Sign

The Administrative Officer, or his or her designee, may order the removal of any sign erected or maintained in violation of this Ordinance, at the cost of the property owner(s), consistent with the provisions of this Ordinance.

(D) Maintenance

All signs and their components shall be kept in good repair and in safe, neat, clean, attractive, and structurally sound condition as determined by the Administrative Officer, or his or her designee. Owners shall repair or otherwise cause any sign not found to be in good repair and in safe, neat, clean, attractive and structurally sound condition to comply with this Article within 10 days of notice of violation by the Administrative Officer. Owners shall, within 30 days of the removal of a sign, and at the Owner's expense, patch and paint damaged areas when signs are removed.

(E) Abandoned Sign Structures

A sign structure, including all poles, frames, supports, and other structural, electrical, mechanical, and other elements, shall be removed by the owner(s) of the premises, at the owner's expense, upon which it is located if, the property it is unused for a period of six months or longer. A sign face is also considered abandoned when the use to which it relates to is no longer in existence or operational for a period of at least 30 days. In such a scenario the owner(s) of the sign structure shall have the sign area noting the use no longer in existence or operational removed from the sign structure and replaced with another sign or a sign blank. Under no circumstance shall a sign face be removed and the inside of a cabinet sign be exposed.

(F) Illuminated Signs

Internally and externally illuminated signs shall be permitted, provided the illuminated sign complies with the following provisions:

- (1) All illuminated signs shall meet the standards as specified in the National Electrical Code. Signs that are only partially illuminated shall meet all electrical requirements for that portion that is illuminated.
- (2) All electrical wiring shall be in conduit and not exposed to the elements or external stress.
- (3) The full number of illuminating elements shall be kept in satisfactory working condition or immediately repaired or replaced.
- (4) Neither the direct nor reflected light from an illuminated sign shall create a traffic hazard to operators of motorized vehicles on any roadway.
- (5) The light from any illuminated sign in any zoning district shall be shaded, shielded, or directed to prevent spillage onto adjacent properties. In no instance shall the light intensity or brightness exceed three-tenths (0.3) foot-candles at the property line of any adjacent property located in a residential zoning district, or five-tenths (0.5) foot candles at the property line of any adjacent property located in a non-residential zoning district.
- (6) All illuminated signs shall have a disconnecting switch located in a readily accessible place.
- (7) See additional limitations set forth for changeable copy and electronic message board signs in this Ordinance.

(G) Enforcement

The enforcement of violations of the provisions of this Article shall be as provided by this Ordinance.

(H) Vacant Land

Properties without a primary structure shall not be permitted a permanent sign.

(I) Sign Tags/Stickers

The Zoning Administrator and/or his/her designee may place tags/stickers indicating a sign is approved and, if the sign is temporary or exempt, the applicable expiration date on any sign within Town limits.

Section 7.04 Sign Design & Construction Requirements, General

(A) Design

All signage shall be designed to be an integral part of the architectural and landscaping plans.

(B) Compatibility

The colors, materials, and style of signage shall be architecturally compatible and accentuate the buildings and landscaping on the site. The colors, materials, and lighting of every sign shall be restrained and harmonious with the building and site to which it principally relates. In no instance shall a sign compete with or obstruct the visibility of the signage of an adjacent property so long as the signage of the adjacent property is also in compliance with this Ordinance.

(C) Scale & Proportion

Every sign shall be designed so as to be proportionate with the scale and design of the principle building to which it relates as well as the surrounding area, as determined by the Administrative Officer, or his or her designee.

(D) Graphic Elements

The number of graphic elements on a sign shall be held to the minimum needed to convey the sign's major message and shall be composed in proportion to the area of the sign face.

(E) Sign Components

All electrical sign components shall meet or exceed Underwriters Laboratories (UL) specifications.

(F) Double-faced Sign

Unless otherwise prohibited by this Article, all signs permitted by this Article may be constructed as a double-faced sign. In these instances, only the sign area of one of the two sides shall be used to calculate sign area, provided that the two sides are identical and placed back-to-back, and that the maximum distance between the two sides does not exceed two feet at any point.

(G) Wall Sign Design

All wall signs using letters, shall utilize individually mounted letters affixed directly on a wall or raceway. A wall sign may incorporate the use of a cabinet sign; however, the cabinet is limited to 25% of the permitted sign area.

(H) Sign Removal

When a wall sign is removed from the façade of a building all previous mounting holes and ghosting images shall be removed and the façade shall match the existing condition of the building. The property owner shall be responsible for the maintenance and restoration of the building façade at the time the existing sign is removed.

Section 7.05 Temporary Signs

In addition to the signs permitted by this Article, but without regard to exempt signs, the following temporary signage may be permitted as described and restricted below. A permit shall be required each time a temporary sign is to be used., and the sign shall meet the following requirements:

The following temporary signs are permitted in residential and Old Town zoning districts:
Illumination

(A) Illumination

Temporary signs shall not be illuminated.

(B) Number of Signs

- (1) 1 Temporary Ground Signs is permitted for each property or parcel equal to or greater than 1 acre in size. Properties or parcels less than 1 acre in size shall not be permitted a temporary ground sign.
- (2) No property shall be permitted more than one temporary ground sign, unless otherwise noted in this subsection.
- (3) For properties, greater than 80 acres, one temporary sign may be permitted per public road frontage.

(C) Ground Sign Height and Area

For properties of at least 1 acre, but no larger than 10 acres, no temporary sign shall exceed 12 square feet in area or four feet in in height, as measured from grade level. For properties greater than 10 acres and less than 40 acres, no temporary sign shall exceed 24 square feet in area or six feet in in height, as measured from grade level. For properties greater than 40 acres, no temporary sign shall exceed 32 square feet in area or six feet in in height, as measured from grade level

(D) Setback

All temporary ground signs shall be placed a minimum of 10 feet from any planned right-of-way and any other property line.

(E) Time Limits

Temporary ground signs shall be permitted up to 12 months. A one-time extension of 12 months may be granted by the Zoning Administrator. Any further extensions would need approval of a Development Standards Variance from the Board of Zoning Appeals.

(F) Types of Temporary Signs

The only type of temporary sign permitted in residential and Old Town zoning district is a temporary ground sign meeting the requirements of this subsection.

(G) Conversion to a Permanent Sign

No sign manufactured, designed, and otherwise intended for use as a temporary sign shall be used as a permanent sign.

The following temporary signs are permitted in all commercial, industrial, and Town Center zoning districts:

(A) Illumination

Temporary signs shall not be illuminated.

(B) Number of Signs

No property, lot, or parcel shall be permitted more than one temporary ground sign. Exception: For properties, greater than 10 acres, one temporary ground sign may be permitted per frontage. Occupied tenant space shall be permitted no more than one temporary wall sign.

(C) Ground Sign Height and Area

No temporary ground sign shall exceed 32 square feet or 6 feet in height, as measured from grade level.

(D) Wall Sign Height and Area

No temporary wall sign shall exceed 24 square feet, and must be attached to the façade of the primary structure. Such signage shall not be located on any portion of a roof, and must be located between the eaves, cornice, or other roof element and the top of the windows.

(E) Setback

All temporary signs shall be placed a minimum of 10 feet from any planned right-of-way and any other property line.

(F) Time Limits

Temporary ground signs shall be permitted up to 12 months. A one-time extension of 12 months may be granted by the Zoning Administrator. Any further extensions would need approval of a Development Standards Variance from the Board of Zoning Appeals. Temporary wall signs shall be permitted up to two times per calendar year. In no such instance shall a wall sign be up for more than 30 consecutive days.

(G) Types of Temporary Signs

The types of temporary signage permitted in commercial, industrial, and Town Center zoning districts are temporary ground and temporary wall signs that meet the requirements of this subsection.

(H) Conversion to a Permanent Sign

No sign manufactured, designed, and otherwise intended for use as a temporary sign shall be used as a permanent sign.

The following temporary signs are permitted in the Public/Semi-public zoning district:

(A) Illumination

Temporary signs shall not be illuminated.

(B) Number of Signs

No property, lot, or parcel shall be permitted more than one temporary ground sign per public roadway frontage. Exception: One additional temporary ground sign may be permitted so long as the sign does not face a public right-of-way, and may not face an adjacent property unless said sign is positioned a minimum of 50 feet from any and all adjacent property(s). This additional ground sign is permitted to be made of a non-rigid material.

(C) Ground Sign Height and Area

No temporary ground sign shall exceed 32 square feet or 6 feet in height, as measured from grade level.

(D) Setback

All temporary signs shall be placed a minimum of 10 feet from any planned right-of-way and any other property line.

(E) Time Limits

Temporary ground signs shall be permitted up to 12 months. A one-time extension of 12 months may be granted by the Zoning Administrator. Any further extensions would need approval of a Development Standards Variance from the Board of Zoning Appeals.

(F) Types of Temporary Signs

The only type of temporary signage permitted in the Public/semi-public zoning district is a temporary ground sign which meets the requirements of this subsection.

(G) Conversion to a Permanent Sign

No sign manufactured, designed, and otherwise intended for use as a temporary sign shall be used as a permanent sign.

Section 7.08 Sign Design & Construction Requirements, by Type

Below are the permanent sign standards for commercial, industrial, and Town Center zoning districts. Only the sign types below are permitted.

(A) Unified Development Sign

All freestanding unified development signage shall be permitted in lieu of other ground signage. Unified developments must be of a size of at least five (5) acres to erect a unified development sign for the purpose of allowing several businesses the ability to use said sign on a single sign structure. All other signage for the development shall be as prescribed by this Ordinance; however, as noted above unified development signage is only permitted in lieu of other ground signage. All free-standing unified development signs shall comply with the following provisions:

- (1) Free-standing Unified Development Signs

Free-standing unified development signs should shall be ground mounted monument style signs and meets the following minimum standards:

- a) The maximum height of a free-standing unified development sign shall be 10 feet for all Unified Developments greater than 5 acres and less than 20 acres. The maximum height of a free-standing unified development sign shall be 16 feet for unified developments equal to or greater than 20 acres. In no instance shall a free-standing unified development sign exceed the height of the tallest building.
- b) The maximum surface area of all free-standing unified development signs shall be 100 square feet for all Unified Developments greater than 5 acres and less than 20 acres. The maximum surface area of all free-standing unified development signs shall be 150 square feet for all Unified Developments greater than 20 acres.

(B) Ground-Sign

A maximum of one ground sign per public roadway frontage is permitted for each lot, property, parcel, or site provided it does not exceed 36 square feet in sign area or six feet in height as measured from grade level. Ground signs shall be no closer than 10 feet from any existing or planned public right-of-way. All ground sign structures shall be constructed of decorative brick, stone, or other masonry, stucco, wood or metal, with the base of the structure constructed of decorative brick or stone. Landscaping consisting of shrubs and perennial groundcover shall be provided at the base of all ground/monument signs with a minimum of two square feet per one square foot of sign area. Under no circumstance shall any lot, parcel, property, or site have more than two ground signs.

(C) Wall Sign

A maximum of one wall sign per public roadway frontage is permitted for each primary structure or occupied tenant space (within a primary structure). Wall signs shall be located on the facade of the primary structure facing a public street. In no instance shall a wall sign exceed 50% of the maximum sign area, nor shall a wall sign project more than 12 inches from the wall. Additionally, no sign shall be placed in or on an architectural designed area of a structure that is created for the sole purpose of gaining more signage or additional height for the wall sign. Wall sign area shall be limited as follows:

- (1) The aggregate sign area shall be equivalent to one and one-half square feet for every one linear foot per tenant space with frontage on a public right-of-way street.
- (2) In no instance shall the aggregate sign area for any tenant space exceed the Aggregate Sign Area noted in Exhibit E.
- (3) The number of graphic elements per sign shall be held to the minimum needed to convey the sign's primary message and shall be composed in proportion to the overall sign area.

(D) Awning Sign

Awning signs shall be considered as a type of wall sign and shall count toward the total number and total area of wall signs permitted by this Article. Awning signs shall be limited to those printed or sewn on awnings mounted on the façade of the principle structure. In no instance shall an awning sign be backlit, nor shall the awning itself be closer than eight and one-half feet from grade level.

(E) Projecting Sign

No projecting sign shall, at its lowest point with the exception of the supporting building, structure, or column, be less than eight and one-half feet above grade level. A maximum of one such sign per business or building shall be permitted. In no instance shall a projecting sign exceed 24 square feet, nor protrude more than four feet from the building. Proof of insurance shall be required for all projecting signs. For the purpose of administering and enforcing this provision, proof of insurance shall mean proof of insurance with liability limits in amounts subject to the Administrative Officer's approval or as established by the Board of Zoning Appeals. Projecting signs shall be considered wall signs.

(F) Changeable Copy

Changeable copy signs are permitted provided the changeable copy does not change more than once in sixty minutes time and does not exceed 50% of the aggregate permitted sign area. For the purposes of administering and enforcing this ordinance, changeable copy signs shall display a static message rather than a message that imitates movement and shall not be interpreted as electronic message boards.

(G) Electronic Message Boards

Electronic message boards are permitted provided they meet the following requirements:

(1) Location

In any district, an EMB shall be located on the site of the use identified or advertised by the sign. EMB's shall only be permitted in Commercial Regional and Public/Semi-public Districts. In no instance shall an EMB be located within 125 feet of a signalized intersection.

(2) Setback from Residential Districts

The leading edge of any EMB shall be a minimum distance of 300 feet from any single-family residential district or use and 200 feet from any multi-family residential district or use unless said multi-family district or use is part of a mixed use development.

(3) Setback from other electronic message boards

An EMB shall be separated from all other EMBs by at least 300 feet.

(4) Orientation

When located within 500 feet of a single-family residential use wherein the said residential use is located within a residential district, all parts of the electronic message board shall be oriented so that no portion of the sign face is visible from any existing or permitted principle structure on said residential lot.

(5) Duration

In no instance shall the image of an EMB update, flash, scroll, twirl, change color, fade in or out, or be anything other than static, more than once in 60 minutes time.

(6) Hours of Operation

When located within 500 feet of a residential use, an EMB shall not be illuminated between the hours of 10 pm and 6 am.

(7) Brightness

In no instance shall an EMB exceed 460 foot-candle during daylight hours or 46 foot-candles for the time period between one half hour before sunset and one half hour after sunrise. For the purposes of administering and enforcing this provision, all EMBs shall be equipped with an ambient dimmer control and a black background.

(8) Size

The maximum EMB sign area shall be 24 square feet.

(H) Fuel Station Pump Decals

In addition to the signage permitted elsewhere in this ordinance, fuel stations may incorporate the following into their fuel pumps:

- (1) Fuel stations may place a maximum of 2 square feet of signage on each vehicle fuel dispensers (double-sided) having a maximum of two (2) square feet per side of each dispenser.

Below are the permanent sign standards for residential and Old Town zoning districts:

(A) Types of Signs

One double-faced or two single-sided ground type signs shall be permitted at each entrance to a platted subdivision, apartment complex, or other residential development from a public roadway that is classified as a Collector or Arterial, as identified on the Town's Thoroughfare Plan Map. However, under no circumstance shall any subdivision, apartment complex, or other residential development be permitted more than three double-faced or six single-sided ground mounted type signs. Said sign structure, or structures, shall require a sign permit. Subdivision entrance signs, landscaping, and decorative walls shall be shown on development plans, site plans, and subdivision plats. No other permanent signs are permitted in the residential or Old Town zoning districts.

(B) Sign Area

In no instance shall the sign area of a subdivision entry ground sign exceed 32 square feet.

(C) Height

In no instance shall the height of a subdivision entry ground sign exceed six feet as measured from grade level. In no instance shall mounding or other alterations of the natural grade level be used as a point of reference for measuring sign height.

(D) Setback

With the exception of subdivision entry ground signs placed within a median of a boulevard, each sign structure shall be set back a minimum of two feet from any planned right-of-way of any public street. In no instance shall a subdivision entry ground sign be placed within a required Sight Visibility Standards (Section 6.08).

(E) Features

Ground mounted subdivision entry signs shall incorporate design features into the structure such as decorative brick or stone walls, lighting and landscaping.

(F) Landscaping

A minimum of two square feet of landscaping consisting of shrubs and perennial ground cover at the base of the sign structure shall be required for every one square foot of sign area.

Below are the permanent sign standards for Public/Semi-public zoning districts:

(A) Types of Signs

- (1) One ground type sign shall be permitted per parcel, lot, property, or site. A parcel, lot, property, or site greater than 5 acres may feature one ground sign per public roadway

frontage, but under no circumstance shall any parcel, lot, property, or site exceed two ground signs.

- (2) One wall sign shall be permitted per primary structure.
- (3) No other permanent signs are permitted in the Public/semi-public zoning district.

(B) Sign Area

In no instance shall a ground sign exceed 36 square feet. In no instance shall a wall sign exceed 1.5 square feet of sign area per one lineal feet of building frontage, nor shall it exceed 50% of the maximum sign area, nor shall a wall sign project more than 12 inches from the wall.

(C) Height

In no instance shall the height of a ground sign exceed six feet as measured from grade level. In no instance shall mounding or other alterations of the natural grade level be used as a point of reference for measuring sign height. Wall signs shall be located on the facade of the primary structure facing a public or private street. Additionally, no sign shall be placed in or on an architectural designed area of a structure that is created for the sole purpose of gaining more signage or additional height for the wall sign.

(D) Setback

With the exception of subdivision entry ground signs placed within a median of a boulevard, each sign structure shall be set back a minimum of two feet from any planned right-of-way of any public street. In no instance shall a subdivision entry ground sign be placed within a required Sight Visibility Standards (Section 6.08).

(E) Features

Ground mounted subdivision entry signs shall incorporate design features into the structure such as decorative brick or stone walls, lighting and landscaping.

(F) Landscaping

A minimum of two square feet of landscaping consisting of shrubs and perennial ground cover at the base of the sign structure shall be required for every one square foot of sign area.

Article XII Definitions

Sign

Any name, identification, description, device, display, or illustration which is affixed to, painted, or represented directly or indirectly upon a building, structure, or piece of land which directs attention to an object, product, place, activity, person, institution, organization, or business. A sign includes the face area which conveys a message, any equipment or sign device, and any related mechanical, electrical, and structural supports and features, such as poles and lighting.

Sign Permit

A permit issued by the Administrative Officer on behalf of the Advisory Plan Commission that must be obtained before temporary and permanent signs are erected.

Sign Setback

The distance between any property line or right-of-way and the nearest portion of any sign at or above grade level.

Sign, Abandoned

A sign face or sign area is considered abandoned when the use to which it relates to is no longer in existence or operational for a period of at least 30 days. Additionally, a sign structure, including all poles, frames, supports, and other structural, electrical, mechanical, and other elements shall be considered abandoned if the property of which it is located on is vacant and/or unused for a period of 6 months or longer.

Sign, Animated

A sign with action, motion, or changing colors or lights, any of which imitates movement. A flashing sign shall be considered to be an animated sign.

Sign, Area

The entire face of a sign including the message surface and any framing or trim, but excluding any poles or other supports. Sign area is measured as the maximum vertical dimension of the face area multiplied by the maximum horizontal dimension of the face area, each at its largest point.

Sign, Awning

A sign incorporated into, or attached to an awning.

Sign, A-frame

A temporary sign that is constructed of wood or other similar rigid material and is designed to be displayed outside only between the hours of 7:00am and 6:00pm (EST) or 7:00am and 8:00pm (EDT). A-frame signs have an "A" shaped frame and may feature a sign on one or both sides.

Sign, Banner

A sign with a message applied to cloth, paper, fabric, or flexible plastic, with any such non-rigid material for background.

Sign, Changeable Copy

A sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects which may be changed or rearranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Changeable copy signs display a static message rather than a message that imitates movement.

Sign, Double-Faced

A sign designed and/or used to display a message on the outer surface of two identical and opposite parallel planes.

Sign, Electronic Message Board

A sign or portion thereof that display electronic information in which each alphanumeric character, graphic or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs) or fiber optics, light bulbs, or other illumination devices within the display area itself. Electronic message board signs typically include computer programmable, microprocessor controlled electronic displays. For the purposes of administering and enforcing this Ordinance, the phrase "electronic message board" shall also include projected images or messages onto a building or other object.

Sign, Face

The area or display surface used for the message.

Sign, Fuel Station Pump

A type of wall sign affixed to fueling pump dispensers.

Sign, Free-Standing

A sign supported completely by a frame, pole, or foundation and which is independent from all other structures on the property.

Sign, Ground

A sign supported by one or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building. It includes Freestanding Signs and Monument Signs.

Sign, Height

The highest point measured from adjacent street grade level to the highest point of the sign, including any structure, frame, light fixture, or other element of the sign.

Sign, Illuminated

A sign lighted by or exposed to artificial lighting either by internal or external illumination.

Sign, Inflatable

Any flexible or expandable sign or portion thereof which is filled with air, helium, or other gas and appears to float, rise, move, etc. This shall include, but not be limited to balloons.

Sign, Mural

A sign painted onto the side of a building, wall, ground, or structure.

Sign, Pole

A free-standing sign, usually double-faced, mounted on a round pole, square tube or other fabricated member without any type of secondary support; a free-standing sign with a visible support structure.

Sign, Portable

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu or sandwich board signs; and balloons used as signs.

Sign, Poster

Any sign made of cardboard, metal, plastic or other semi-rigid material which is attached to outdoor products, structures, or other features, or anchored into the ground with the use of stakes.

Sign, Projecting

A sign attached to and projecting out from a building face or wall, generally at right angles to the building.

Sign, Searchlight

A searchlight used to attract attention to a property, use, or structure consistent with the definition of a sign. A searchlight is a type of animated sign.

Sign, Supplementary Wall

A temporary, exempt wall sign permitted for a limited amount time in a calendar year.

Sign, Temporary

An sign not fixed to a permanent foundation and displayed for a fixed period of time, for the purpose of conveying information, knowledge, or ideas to the public.

Sign, Temporary Ground

A temporary sign constructed of wood, composite wood, or other similar rigid materials.

Sign, Temporary Wall

A temporary sign permitted that is attached to a primary structure.

Sign, Unified Development

A single sign structure with one or more sign faces indicating the presence of multiple tenants on a property being constructed or managed as a single development. Such developments include, but are not limited to: shopping centers, office parks, and industrial parks.

Sign, Vehicle

A sign that is attached to or painted on a parked vehicle for the purpose of drawing attention to the product, business, or property which is indicated on the sign.

Sign, Wall

A sign attached to or painted on the exterior wall of a structure.

Sign, Window

A sign affixed to a window or placed immediately behind a window pane so as to attract the attention of persons outside of the structure.

Sign, Yard

A temporary, exempt ground sign permitted for a limited amount time in a calendar year.

Signable Area

A two-dimensional area that describes the largest square, rectangle, or parallelogram on the facade of a building which is free of architectural details.

Section 4.15 Telecommunications Facility Standards**(A) Purpose and Intent**

The purpose of these telecommunication facility standards is to provide for adequate, reliable public and private telecommunications service while maximizing the use of transmission wireless support structures and wireless support structure sites. These requirements also seek to minimize the adverse, undesirable visual impact of wireless support structures through minimizing needed wireless support structures and wireless support structure sites, careful design and siting, and screening.

(B) Validity Clause

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word in this Article is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining portions of the Article.

(C) General Regulations applicable to Wireless Telecommunication Facilities

(1) Abandonment

Abandoned or unused wireless support structures or portions of wireless support structures shall be removed. The owner of a wireless facility shall file annually a declaration with the Administrative Officer or his or her duly authorized designee as to the continuing operation of every facility installed subject to these regulations. In addition, the owner shall file annually a Certificate of Insurance from the owner's insurance carrier listing The Town of McCordsville and the McCordsville Town Council as additional insureds for the purposes of general liability with regard to bodily injury, personal injury and property damage from all possible risks in an aggregate amount of not less than \$5,000,000 per incident with a further provision that said insurance carrier shall notify the McCordsville Town Council 30 days in advance of either cancellation and/or non-renewal of said policy of insurance. Failure to do any of the above requirements shall be determined to mean that the facility is no longer in use and considered abandoned, thus subject to the following:

(2) Removal

All abandoned or unused wireless support structures and associated facilities shall be removed within 180 days of the cessation of operations at the site unless a time extension is approved by the Administrative Officer or his or her duly authorized designee. A copy of the relevant portions of a signed lease which requires the applicant to remove the wireless support structure and associated facilities upon cessation of operations at a site shall be submitted at the time of application. In the event that a wireless support structure is not removed within 180 days of the cessation of operations at a site, the wireless support structure and associated facilities may be removed by the Town and the costs of removal, enforcement including attorney's fees shall be assessed against the property; and/or the property owners.

(3) Time Constraint

Unused portions of wireless support structures above a manufactured connection shall be removed within 180 days of the time of antenna relocation. The replacement of portions of a wireless support structure previously removed requires the issuance of a new wireless facility permit.

(4) Materials

The use of residentially compatible high quality materials such as wood, brick, or stone is required for associated accessory structures within or adjacent to the equipment compound, which shall be designed to architecturally match the exterior of any adjacent residential or commercial structures within the neighborhood or area.

(5) Design

Wireless telecommunication support structures ~~should generally~~ shall be of a monopole design and, when located within or adjacent to an environmentally or aesthetically sensitive area, or a residential district, be designed to architecturally camouflage the wireless telecommunication support structure as much as reasonably practical to blend into the surroundings.

(6) Support Structure Height

- a) In any commercial zoning district the maximum height of the wireless support structure wireless support structure shall be 150 feet. The maximum height of any accessory structure shall be 15 feet.
- b) In any industrial zoning district the maximum height of the wireless support structure wireless support structure shall be 200 feet. The maximum height of any accessory structure shall be 15 feet.
- c) In any residential district the maximum height of the wireless support structure wireless support structure shall be 100 feet. The maximum height of any accessory structure shall be 15 feet.

(7) Interference

No new telecommunications facility shall result in any interference with public safety telecommunications.

(8) Proximity

No wireless support structure equipment compound shall be placed closer than 500 feet to any property included in a residential zoning district.

(9) Setback

The minimum front, side, and rear yard setback for all wireless support structures wireless support structures shall be a minimum of the area within which the wireless support structure is designed to collapse, as set forth in the applicant's engineering certification for the wireless support structure. No part of a wireless telecommunications facility, including the equipment compound, security fence, any required guide wires or bracing shall be permitted in the required setback of the applicable zoning district. Landscape screening may be provided in the setback area.

(10) Right-of-way Encroachment

No part of any wireless telecommunications facility nor associated lines, cables, equipment, wires or braces shall at any time extend across or over any part of an existing or planned public right-of-way, street, highway, sidewalk, or property line.

(11) Fence Height

An eight foot high security fence/wall shall completely surround the wireless support structure equipment compound and accessory equipment building site.

(12) Screening Area

An area 10 feet in width shall remain outside of the fence/wall for the purpose of providing the landscape screening described in this Section.

(13) Access Gates

In all zoning districts, the required security fence enclosing the facility shall be 100 percent opaque and of wood, brick, or stone construction. Opaque eight foot tall wooden, composite wood, or metal gates shall be provided to access the facility.

(14) Landscape Screening

Evergreen buffer plantings shall be located around the outermost perimeter of the security fence of all wireless telecommunications facilities, including any wires and anchors. If evergreen hedges are used they shall be a minimum of two feet tall at the time of planting (measured from ground level) and shall be planted a maximum of three feet on center. If evergreen trees are used they shall be a minimum of five feet tall at the time of planting (measured from the top of the root-ball), and shall be planted a maximum of 10 feet on center. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.

(D) Required Approvals

(1) Installation of New Collocation

The placement or installation of new wireless facilities on existing structures that include a wireless facility or a wireless support structure, including water towers and other buildings or structures. This includes the placement, replacement, or modification of wireless facilities within an approved equipment compound.

In addition to the requirements provided elsewhere in this Ordinance, applications for collocation shall include the following:

- a) The name, business address, and point of contact for the applicant.
- b) The location of the proposed or affected wireless support structure.
- c) Evidence of conformance with applicable building permit requirements.

(2) Substantial Modification of Wireless Support Structure

The installation or mounting of a wireless facility on a wireless support structure in a manner that:

- a) Increases the height of the wireless structure by the greater of :
 - i) 10% of the original height of the wireless support structure; or
 - j) 20 feet.
- b) Adds an appurtenance to the wireless support structure that protrudes horizontally from the wireless support structure more than the greater of:
 - i) 20 feet; or
 - j) The width of the wireless support structure at the location of the appurtenance;
or
- c) Increases the square footage of the equipment compound in which the wireless facility is located by more than 2,500 square feet.

Any substantial modification that increases height, width, adds an appurtenance, or increases the size of the equipment compound requires a Special Exception from the Board of Zoning Appeals (BZA).

In addition to the requirements provided elsewhere in this Ordinance, applications for substantial modifications to wireless support structures shall include the following:

- a) The name, business address, and point of contact for the applicant.
- b) The location of the proposed or affected wireless support structure.
- c) A construction plan that describes the proposed wireless support structure and all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment. Such plan shall be provided by professional engineer licensed in the State of Indiana, and include the engineer's stamp and registration number.
- d) If a special exception is required by this Ordinance, evidence showing that the application complies with the criteria set forth in the Ordinance with respect to the special exception.

(3) Installation of New Wireless Support Structure

The installation of any new wireless support structure(s) shall be reviewed either by the Administrative Officer in the case of a permitted use or by the Board of Zoning Appeals as a special exception use consistent with the provisions of this Ordinance.

In addition to the requirements provided elsewhere in this Ordinance for the receipt of a special exception use approval and an Improvement Location Permit, applications for new wireless support structures wireless support structures or a complete replacement of an existing wireless support structure with a new wireless support structure shall include the following

- a) The name, business address, and point of contact for the applicant.
- b) The location of the proposed or affected wireless support structure.
- c) A construction plan that describes the proposed wireless support structure and all equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment. Such plan shall be provided by professional engineer licensed in the State of Indiana, and include the engineer's stamp and registration number.
- d) Evidence supporting the choice of location for the proposed wireless support structure, including a sworn statement from the individual responsible for the choice of location demonstrating that collocation of wireless facilities on an existing wireless support structure was not viable option because collocation:
 - (i) Would not result in the same wireless service functionality, coverage, and capacity;
 - (ii) Is technically infeasible; or
 - (iii) Is an economic burden to the applicant.
- e) If a special exception is required by this Ordinance, evidence showing that the application complies with the criteria set forth in the Ordinance with respect to the special exception.

(4) Replacement of Existing, Legal nonconforming Wireless Support Structure

Existing legal nonconforming wireless support structures may continue in use for their current purpose but may not be replaced unless either the replacement wireless support structure is an exact match to the height, setback, and other features of the removed wireless support structure, or the replacement wireless support structure complies in all respects to the requirements in this Ordinance. If such wireless support structures are hereafter damaged or destroyed due to any reason or cause whatsoever, the wireless support structure may be repaired and restored to its former location and physical dimensions upon obtaining an Improvement Location Permit.

Section 6.12 Exterior Lighting Standards

Insert into (C) Residential Street Lights

(A) Residential Street Lights

(12) At the time a subdivision or development is transferred from the builder/developer to the HOA, the street lights and all their components shall be owned fee-simple. Street light leases may not be transferred to an HOA.

OTHER MISCELLANEOUS UPDATES

Section 4.13 Multi-family Residential Subdivisions

(A) Pedestrian Access

Multi-family residential subdivisions shall include public sidewalks, constructed by the builder/lot owner at the time of construction of the residences. All sidewalk design and construction shall comply with the Americans with Disabilities Act (ADA), as amended. The restrictive covenants of the development shall include the following maintenance covenant text and be recorded with the plat of the development: "The developer or property owner (lot owner) shall be responsible for constructing a five-foot wide concrete sidewalk of 4,000 PSI strength plain cement four inches thick, sloped 1/4 inch per foot toward the street with expansion joints each 48 inches along the entire all street frontage of their respective lot." The sidewalk shall be constructed prior to completing finish lot grading. The sidewalk shall be located one foot inside the planned public right-of-way line (not on the lot), and parallel to the street right-of-way line, or it may be located inside a private street easement or access easement, when said street is not a public right-of-way. The lot owner and/or developer is responsible for the repair and maintenance of the sidewalk for the initial one year from completion of residence. Thereafter, the homeowners association shall be responsible for maintenance and upkeep of the sidewalk. However, except for any damage done by the adjoining lot landowner and/or developer during construction shall be corrected by the landowner and/or developer. All public sidewalks shall comply with all Americans with Disabilities Act (ADA), as amended, requirements and in the situation of a conflict between ADA rules, covenants or other regulations, the ADA shall govern."

Section 6.04 Architectural Design Standards

(B) Architectural Standards for Multi-family-1 & Multi-family-2 Residential Developments/Zoning Districts

The implementation of various design standards is a catalyst to ensure quality construction for present and future developments. This Architectural Design Standards section applies to multi-family residential uses. Exceptions may be considered for special developments with distinct and unique architectural designs.

(1) Façade Design/Construction Requirements

- a) Architectural detailing, horizontal/vertical off-sets, window details and other features shall be provided on all sides of the building to avoid blank walls.
- b) All siding must be masonry, wood, fiber cement plank siding, stucco, decorative pre-cast panels, matching approved materials in scale, integrally colored block stone, E.I.F.S. Each building must feature a minimum of 50% brick or stone on all elevations visible from an adjacent property or street. All siding shall be submitted for review by the Architectural Review Committee.
- c) Projects with multiple buildings must have the site layout and building orientation reviewed by the Plan Commission.
- d) Windows are required on all sides of the dwelling that are visible from the street.

- e) Entries shall be clearly defined and accented with such features as awnings, porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms, and arches.
- f) Any structure with three or more units shall incorporate wall articulation to reduce apparent scale. Elements such as wall plane projections, recesses, significant architectural features that break up the wall plane, columns, pilasters, and the like can be used to achieve this.

(2) Roofs

All roofing materials shall be subject to review by the Architectural Review Committee.

- a) The roof shall be a minimum of 6:12 on sloped roofs; a façade gable shall be a minimum of 8:12.
- b) There shall be a minimum roof overhang of nine inches on all sides of a multi-family residential building with a sloped roof.
- c) The roof shall be covered with the highest industry standard roofing materials including, but not limited to natural clay tiles, slate, concrete tiles (with natural texture and color), wood shakes or shingles (with adequate fire protection), or high profile, three-dimensional asphalt/fiberglass shingles with a 30 year warranty, or synthetic or recycled material that simulates tile, stone, shake or slate.
- d) Any structure with three or more units shall incorporate ~~wall and~~ roof articulation to reduce apparent scale. Elements such as balconies, porches, arcades, dormers, cross gables, secondary hipped or gabled roofs can be used to achieve this appearance.

(3) Dumpsters

Dumpsters shall be enclosed with a solid enclosure that is of the same material as the primary structure, is a minimum of six feet in height, and contains a solid gate. Shrub plant material shall be provided where possible to further enhance the wall enclosure. In no instance shall a dumpster all enclosure or dumpster plantings be located within a utility and/or drainage easement.

(4) Mechanical Screening

All mechanical equipment shall be screened from view. This can be achieved by solid landscaping, solid fence or walls for ground placed equipment (provided that said fence or wall is not placed within a utility and/or drainage easement), and the use of parapet walls or other roof structures of the same or compatible material of the main structure(s). For the purposes of administering and enforcing this Ordinance, the term parapet is defined as a portion of the vertical wall of a building which extends above the roofline.

(5) Architectural Features

All multi-family residential buildings shall incorporate a minimum of four of the following features, and side and rear elevations shall contain at least one architectural feature.

- a) Front porch greater than eight feet by four feet (see also Section 6.04(A)(4)(f) for column specifications.);
- b) Reverse gables;

- c) Covered front stoops/steps with pathway leading from sidewalk;
 - d) A separate overhead door for each garage bay;
 - e) Decorative garage doors or windows in garage doors;
 - f) Transom windows;
 - g) Veranda/balcony;
 - h) Two or more roof planes;
 - i) Brick or stone on 100 percent of the front elevation, exclusive of openings;
 - j) Two or more dormers;
 - k) At least four feet of relief at one or more points along the front elevation;
 - l) Bay windows;
 - m) Side-loaded garages with courtyard entry;
 - n) Full first floor masonry;
 - o) Sunroom, screened porch, or balcony; or
 - p) Overhangs or soffits of at least 15 inches over all exterior walls; or
 - q) Use of brick and stone on the same elevation.
- (6) Any commercial uses or buildings constructed within a M-1 or M-2 District, as permitted by this Ordinance, shall meet the requirements of the Neighborhood Commercial architectural standards, and shall have a similar design or theme, materials, and compatible architecture with that of the multi-family residential buildings on-site.
- (7) Stand-alone clubhouses, amenity buildings, and the like shall meet the architectural requirements of the Multi-family 1 & 2 Architectural standards.
- (C) Architectural Standards for Professional Business Office & Regional Commercial Developments/Zoning Districts

The implementation of various design standards is a catalyst to ensure quality construction for future commercial development. The following design standards apply to commercial uses within the Town of McCordsville. Exceptions may be considered for special developments with distinct and unique architectural designs.

(1) Façade Design/Construction Requirements

- a) Façade colors shall be low reflectance, subtle, neutral hues or colors. The use of high-fluorescent colors shall be prohibited. Building trim and accent areas may feature brighter colors or primary colors, provided said building trim and accent areas do not exceed 10 percent of any single exterior façade exclusive of all windows, doors, or other building openings. Building trim and accent areas featuring brighter colors or primary colors in excess of 10 percent of any single exterior façade shall be submitted for review by the Architectural Review Committee.
- b) All buildings are to have similar design or theme, materials, and compatible architecture.
- c) All siding must be stone, brick, cement fiber board, stucco, decorative pre-cast panels, architectural metal panels, matching approved materials in scale, integrally colored CMU, E.I.F.S. or a combination of these materials. Each building must feature a

minimum of 50% brick or stone on all elevations. All siding materials shall be submitted for review by the Architectural Review Committee.

- d) For projects with multiple buildings, site layout and building orientation will be reviewed by the Technical Review Committee. Attempts shall be made to incorporate variation in building height, building mass, roof forms and changes in wall planes.
- e) The exterior of all buildings adjacent to residential areas shall be limited to brick, stone, stucco, EIFS, fiber cement board, or another material approved by the Plan Commission.
- f) If the length of any elevation is greater than 60 feet it shall have incorporated into the design wall plane projections or recesses of a composite of at least five percent of the length of any elevation and extending at least 20 percent of the length of any elevation. For the purposes of administering and enforcing this Ordinance an awning shall not constitute a façade projection.

(2) Roofs

a) Roof Features

Roofs shall have at least two of the following features:

- i) Parapets
Parapets shall not exceed one-third of the height of the supporting wall and must conceal flat roofs and completely screen any and all rooftop mechanical units.
- ii) Cornice
Cornices shall be three-dimensional.
- iii) Eaves & Overhangs
Eaves and overhangs shall extend eighteen inches past the supporting walls.
- iv) Cupolas
Cupolas shall not exceed 15 feet past the base roofline.

b) Roof Pitch

The roof shall be a minimum of 6:12 pitch on a sloped roof; a façade gable shall be a minimum of 8:12 pitch.

c) Roof Material

All roofs shall be covered with the highest industry standard roofing materials including, but not limited to natural clay tiles, slate, concrete tiles, (with natural texture and color), high quality architectural standing seam metal roofing, wood shakes or shingles (with adequate fire protection), or high profile, three-dimensional asphalt/fiberglass shingles. Metal roofs shall have a low gloss finish to reduce glare. The following materials shall be subject to review by the Architectural Review Committee and/or Technical Review Committee: green roofs, solar panel roofing, wood shake, metal, and synthetic or recycled materials used to simulate natural materials.

(3) Mechanical Screening

All mechanical equipment shall be screened from view. This can be achieved by solid landscaping, fence or walls for ground placed equipment, and the use of parapet walls or other roof structures.

(4) Dumpsters

Dumpsters shall be enclosed with a solid enclosure that is of the same material as the primary structure, is a minimum of six feet in height, and contains a solid gate. Shrub plant material shall be provided where possible to further enhance the wall enclosure. In no instance shall a dumpster all enclosure or dumpster plantings be located within a utility and/or drainage easement. In no instance shall a dumpster be located in the front yard.

- (5) All buildings located on property zoned Public/Semi-public shall meet the Professional Business Office/Regional Commercial architectural standards.

(D) Architectural Design Standards for Neighborhood Commercial Developments/Zoning District

In addition to the ~~Commercial~~ Professional Business Office & Regional Commercial Standards prescribed above, all Neighborhood Commercial uses developments shall also comply with the following standards:

(1) Elements

Architectural elements used on the front elevation shall be implemented on all elevations and shall incorporate no less than three of the following architectural elements:

- a) Color change;
- b) Texture change;
- c) Material change;
- d) An expression of architectural or structural bays through a change in roof plane, height, or architectural enhancements, and must be approved by the Plan Commission;
- e) Balconies
- f) Awnings; or
- g) Story change wherein a clear delineation between each story of the structure is provided by a consistent cornice line.

(2) Entryways

Each single tenant retail establishment greater than 7,500 square feet shall have clearly defined, highly visible customer entrances featuring no less than three of the following:

- a) Canopies or porticos;
- b) Overhangs;
- c) Recesses/projections;
- d) Arcades;
- e) Raised corniced parapets over the door;
- f) Peaked or gabled roof forms;
- g) Arches;
- h) Columns;
- i) Awnings;
- j) Sidelights, transoms width must equal door width;

- k) Architectural details such as tile work and moldings which are integrated into the building structure and design;
- l) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting, awnings, porches, plinths, bay windows, or shutters;
- m) Enhanced exterior lighting, such as wall sconces, building mounted accent lights, or decorative pedestal lights;
- n) Prominent 3-D entryway feature such as a clock wireless support structure or other similar architectural design element projecting from the plane of the main exterior walls by a minimum of eight feet and raised above the adjoining parapet wall or roof by a minimum of three feet.

a) Exterior building materials:

- i) Exterior building materials shall not include smooth-faced concrete block, or concrete tilt-up panels. However, concrete tilt-up panels with brick or stone facing can be used on rear elevations.
- ii) Exterior building materials shall consist of brick, stone, integrally colored CMU, pre-cast concrete (must have integral color or and embedded brick or stone with brick or stone in-print, on rear elevations only), stucco and external insulation finish system (E.I.F.S) that simulates a stucco appearance, or a combination of these materials. All siding materials shall be submitted for review by the Architectural Review Committee.
- iii) Wood siding or similar materials are permissible in limited applications, but shall not be used as the primary building material.

(3) Display Windows

All front façades and facades along pedestrian walkways shall have display windows, faux windows, or decorative windows for no less than 60 percent of the facades horizontal length.

(E) Architectural Design Standards for Industrial-1 & Industrial-2 Developments/Zoning Districts

The implementation of various design standards is a catalyst to ensure quality construction for future industrial development. In addition to all Professional Business Office & Regional Commercial Standards as prescribed above, the following standards shall also apply to all Industrial uses, including light industrial uses. Exceptions may be made for special developments with distinct and unique architectural designs.

(1) Siding

All siding must be stone, brick, cement fiber board, integrally colored CMU, or E.I.F.S, decorative pre-cast concrete, architectural metal panels, or a combination of these materials. Buildings clad in metal may be not permitted. All siding materials shall be submitted for review by the Architectural Review Committee.

(2) Entryways

Each single tenant industrial establishment greater than 7,500 square feet shall have clearly defined, highly visible customer entrances wherein the primary customer entrance features no less than three of the following:

- a) Canopies or porticos;
- b) Overhangs;
- c) Recesses/projections;
- d) Arcades;
- e) Raised corniced parapets over the door;
- f) Peaked or gabled roof forms;
- g) Arches;
- h) Columns;
- i) Awnings;
- j) Sidelights, transoms width must equal door width;
- k) Architectural details such as tile work and moldings which are integrated into the building structure and design;
- l) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;
- m) Enhanced exterior lighting, such as wall sconces, building mounted accent lights, or decorative pedestal lights;
- n) Prominent 3-D entryway feature such as a clock wireless support structure or other similar architectural design element projecting from the plane of the main exterior walls by a minimum of eight feet and raised above the adjoining parapet wall or roof by a minimum of three feet.

(F) Additional Architectural Standards for the Town Center & Old Town Zoning District(s)

In addition to the Professional Business Office & Regional Commercial, and Neighborhood Commercial Standards prescribed above, the following standards shall also apply to developments located within the Town Center District and commercial development in the Old Town District:

(1) Exterior Building Materials

Exterior materials shall be natural in appearance in keeping with the historical style of the Town, if with the Old Town District. Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, limestone, other native stone, and natural wood. Synthetic materials can be used that simulate natural materials (EIFS, cement fiber board, and cast stone).

(2) Entryways

Each building that is greater than 7,500 square feet in gross floor area shall have clearly defined, highly visible customer entrances featuring no less than four of the following:

- a) Canopies or porticos;
- b) Overhangs;
- c) Recesses/projections;
- d) Arcades;
- e) Raised corniced parapets over the door;
- f) Peaked or gabled roof forms;
- g) Arches;

- h) Columns;
- i) Awnings;
- j) Sidelights, transoms width must equal door width;
- k) Architectural details such as tile work and moldings which are integrated into the building structure and design;
- l) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting, awnings, porches, plinths, bay windows, or shutters; Enhanced exterior lighting, such as wall sconces, building mounted accent lights, or decorative pedestal lights;
- m) Prominent 3-D entryway feature such as a clock wireless support structure or other similar architectural design element projecting from the plane of the main exterior walls by a minimum of eight feet and raised above the adjoining parapet wall or roof by a minimum of three feet.

(3) Display Windows

All front façades and facades along pedestrian walkways shall have display windows, faux windows, or decorative windows for no less than 60 percent of the facades horizontal length.

(4) Dumpsters

Dumpsters shall be enclosed with a solid enclosure that is of the same material as the primary structure, is a minimum of six feet in height, and contains a solid gate. Shrub plant material shall be provided where possible to further enhance the wall enclosure. In no instance shall a dumpster all enclosure or dumpster plantings be located within a utility and/or drainage easement.

(5) Street Furniture

Street furniture such trash receptacles, benches, drinking fountains, light standards, flag poles, water features and public art should be included in plans and designed to be part of the architectural concept.

Section 6.05 Parking Standards

(A) Purpose and Intent

The purpose of these parking standards is to reduce street congestion, ensure proper vehicular and pedestrian circulation, and therefore improve public safety by identifying the appropriate number and location of off-street parking spaces for each zoning district.

(B) General Requirements

(1) Location

No off-street parking spaces may be fully or partially located in an existing or planned public right-of-way, septic field, required landscape area, buffer yard, utility easement, or drainage easement. In no instance shall any vehicle be stored or parked in any required front, yard or side, yard or rear yard. Temporary parking of vehicles in driveways accessed from the street and passing through the yard are exempt from this requirement.

(2) Access

All required parking spaces must be designed to provide direct access for vehicles. In no case may areas which do not have direct access be considered a parking space meeting the requirements of this Ordinance. For example, a residential driveway shall not be considered a parking space meeting the requirements of this Section if a parked vehicle in the driveway prevents direct access to a required parking space in a garage or carport.

(3) Parking Space Dimensions

- a) Each parking space (other than those designed for the disabled) shall contain a rectangular area at least 19 feet long and nine feet wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this Section.
- b) Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking spaces shall not be less than 20 feet long by nine feet wide.

(C) Single and Two-family Developments

Parking spaces for single- and two-family residential developments shall be provided on the same lot as the dwelling unit for which they are required and shall meet the following standards:

(1) Spaces Requirements

A minimum of two off-street, paved spaces are required for each dwelling unit.

(2) Access/Location Requirements

Parking areas must be designed to prevent vehicles from having to back into or maneuver in any arterial or collector street.

(3) Driving Surfaces

All parking areas, including parking spaces, driveways, and ingress/egress into parking areas must be paved with asphalt, concrete, or other pavement materials that are approved by the Administrative Officer. Exception: Gravel driveways are permitted for single-family home driveways on lots in excess of 2 acres.

SUBDIVISION CONTROL ORDINANCE

Section 4.04 Geometric Street Standards

(D) Pedestrian Route Standards

Sidewalks at least five feet wide are required on both sides of the street in all subdivisions, except where a subdivision is adjacent to a Collector (Major or Minor) or ~~Minor~~ Arterial (Minor or Major) street, in which case a Multi-use Pathway is required on the north and east sides of the road as specified and a sidewalk is required on the west and south sides of the road as specified. On US 36, the multi-use pathway shall be excluded and the road shall have sidewalks on both sides of the road. Sidewalk and Multi-use Pathway connectivity shall be considered and exceptions granted as consistent with connectivity and any plan established by the Parks Board. All other standards for sidewalks shall conform to this Subdivision Control Ordinance. Additionally, any multi-use paths identified in the Parks &

Recreation Master Plan are hereby incorporated into this Ordinance by reference. Furthermore, the Town may increase/decrease the width of any sidewalk or multi-use pathway at its discretion, and/or replace sidewalk with a multi-use path, or vice versa, without being considered non-compliant with this Ordinance.

Section 3.07 Recording a Final Plat

After the Plan Commission officers have affixed their signatures to the original tracing, and the subdivider has completed the required improvements and installation, provided financial guarantees as required by Town Ordinances, and met all other requirements of this Ordinance, the Administrative Officer shall place the Secondary Plat on the next Town Council agenda for acceptance of dedication. Following acceptance of dedication the subdivider shall record the plat with the County Recorder within one year. If not recorded within this time, the approval shall be null and void, unless further extended by the Plan Commission upon written request of the subdivider, filed with the Plan Commission 60 days prior to the expiration of the approval and by payment of a filing fee established by the Plan Commission. The subdivider shall pay the recording fee, and file with the Plan Commission four prints of the approved secondary plat, including restrictive covenants, as recorded. One reproducible print of the secondary plat, as recorded, shall be filed and retained in the office of the Planning and Building Department. For multi-family or non-residential, until the prints have been so filed, no occupancy permit, shall be issued for any lot shown upon the plat. For single family residential, until the prints have been so filed, no improvement Location Permit, occupancy permit, or other permits shall be issued for any lot shown upon the plat.

Section 3.03 Secondary Plat Submission

(B) Materials

The secondary plat shall include:

(21) A note on the plat as follows: "Dedicated R/W in this subdivision consists of _____ acres;" and _____ linear feet as measured along the centerline. Open space in this subdivision consists of _____ acres;" and