



*Memorandum*

**Date:** January 8, 2018  
**To:** Town Council  
**From:** Ryan Crum, Director of Planning  
**Re:** Zoning Ordinance Updates

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Zoning and Subdivision Control Ordinances are living, breathing documents that need updates and amendments over time. We typically do one round of updates a year in the fall. Attached, as Exhibit A, is a draft of the proposed updates. The Exhibit has received a favorable recommendation from the Plan Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Crum'.

**Ryan Crum, AICP**  
Director of Planning & Building  
Town of McCordsville

## **LEGEND**

Black text represents existing language.

Red text represents proposed language.

Black strike-out text represents existing language that is proposed to be removed.

## **Exhibit A**

### Single-family Architectural Updates

#### **Section 6.04(A)(3)(g)**

Existing: New standard

Proposed: All front elevation returns shall be required to match the front elevation masonry in style and height.

#### **Section 4.17(B)(3)**

Existing: Two car garages, a minimum of twenty-two (22) feet in width, shall be required for all dwellings. Garages may be front-loading, side-loading, courtyard-loading, rear-loading, and/or detached. Any front-loading garage, attached or detached, which is located less than twenty (20) feet behind the front elevation of the home shall feature a decorative garage door. Front loading garages shall not project in front of, or be flush with, the front elevation of the home. Front-loading garages must be recessed a minimum of two (2) feet behind the front elevation of the home. Front-loading garages shall not exceed 45 percent of the width of the front elevation. Detached garages must be separated from the primary structure a minimum of 10 feet. For any 3 car or larger garage that faces a street, at least one of the bays must have a separate door and be recessed a minimum of two feet from the other bays. At least 25% of all lots within a residential subdivision shall feature a home that does not have a front-loading garage. All decorative garage doors shall be approved by the Architectural Review Committee. These regulations do not apply to multi-family residential developments.

Proposed: Two car garages, a minimum of twenty-two (22) feet in width, **or twenty (20) feet in width with an additional 4' deep by 8' long storage area (within the garage)**, shall be required for all dwellings. Garages may be front-loading, side-loading, courtyard-loading, rear-loading, and/or detached. Any front-loading garage, attached or detached, which is located less than twenty (20) feet behind the front elevation of the home shall feature a decorative garage door. ~~Front loading garages shall not project in front of, or be flush with, the front elevation of the home. Front loading garages must be recessed a minimum of two (2) feet behind the front elevation of the home.~~ **Any front-loading garage that protrudes eight (8) feet or more in front of the front elevation shall feature at least one window on each side elevation of the garage. These windows shall not count towards any other window requirement. No front-loading garage shall protrude more than ten (10) feet more in front of the front elevation. Garage protrusion shall be measured by determining the distance between the farthest protruding front façade of the garage and the widest portion of the front façade of the front elevation.** Front-loading garages shall not exceed 45 percent of the width of the front elevation. Detached garages must be separated from the primary structure a minimum of 10 feet. For any 3-car or larger garage that faces a street, at least one of the bays must have a

separate door and be recessed off-set a minimum of two feet from the other bays. At least 25% of all lots within a residential subdivision shall feature a home that does not have a front-loading garage. All decorative garage doors shall be approved by the Architectural Review Committee. These regulations do not apply to multi-family residential developments.

**Section 6.04(A)(2)(c)**

Existing: There shall be a minimum roof overhang of nine inches on all sides of a house.

Proposed: There shall be a minimum roof overhang of ~~nine~~ eight inches, measured from the exterior surface of the exterior material, on all sides of a house featuring brick or stone. There shall be a minimum roof overhang of twelve inches, measured from the exterior surface of the exterior material, on all sides of a house featuring any type of siding that is not brick or stone.

**Section 6.04(A)(3)(f)**

Existing: All vinyl siding shall be approved and endorsed as meeting or exceeding ASTM D3679 by the Vinyl Siding Institute through their Vinyl Siding Certification Program. Vinyl siding shall be a minimum thickness of 0.044 inches. Lap siding shall have a maximum 6" exposed board face. A letter or certificate stating such shall be attached to each building permit request. All vinyl siding colors shall be submitted for review by the Architectural Review Committee.

Proposed: All vinyl siding shall be approved and endorsed as meeting or exceeding ASTM D3679 by the Vinyl Siding Institute through their Vinyl Siding Certification Program. Vinyl siding shall be a minimum thickness of ~~0.044~~ 0.048 inches. Lap siding shall have a maximum 6" exposed board face. A letter or certificate stating such shall be attached to each building permit request. All vinyl siding colors shall be submitted for review by the Architectural Review Committee.

**Section 6.04(A)(4)(m)**

Existing: Unless adjacent to masonry wrap, all windows, doors and corners shall have a minimum nominal one inch by six inch wood or vinyl surround, shutters, decorative trim, or headers.

Proposed: Unless adjacent to masonry wrap, all windows, doors and corners shall have a minimum nominal one inch by six inch wood or vinyl surround, ~~shutters, decorative trim, or headers.~~

**Section 6.04(A)(4)(k)**

Existing: Exhaust vents shall not be visible from the front elevation of the home.

Proposed: Exhaust vents shall not be visible from the front elevation of the home. Additionally, no wall-mounted vent or louver shall be located on the first floor exterior of a front elevation.

#### **Section 6.04**

Existing: No standard

Proposed: Provide detailing that transition or frame material changes. Example: decorative caps on brick/stone, trim boards, etc. Home styles that do not lend themselves to such transitions may be approved by the ARC.

#### **Section 6.04(A)(2)(a)**

Existing: Two or more roof planes visible on the front of the house shall count towards architectural feature requirements.

Proposed: Two or more roof planes visible on the front of the house shall **be required** ~~count towards architectural feature requirements.~~

### Residential Bulk Standards

#### **Appendix B**

Existing: Enclosed

Proposed: **See attached.**

#### **Section 4.01(F)(3)**

Existing: No accessory structure shall be permitted in any front yard, or within the required side and rear yard setbacks.

Proposed: No accessory structure shall be permitted in any **established** front yard, ~~or within the required side and rear yard setbacks.~~ **The minimum rear and side yard setbacks for accessory structures shall be the same as the side and rear yard setbacks for primary structures within the zoning district they are located, or setback a distance equal to the height of the accessory structure, whichever is greater.**

### Commercial Architectural Standards

#### **Section 5.02(F)(5)(h)(ii)**

Existing: Sloped roofs shall not exceed an average height equal to that of the supporting walls.

Proposed: Sloped roofs shall not exceed an average height equal to that of **1.5 times the height of** the supporting walls. **Exceptions may be granted by the ARC for architectural styles that lend themselves to a greater roof height.**

#### **Section 5.02(F)(5)(h)(iii)**

Existing: Sloped roofs shall have overhanging eaves that extend a minimum of eighteen inches past the supporting walls.

Proposed: Sloped roofs shall have overhanging eaves that extend a minimum of ~~eighteen~~ **twelve (12)** inches past the ~~the supporting walls~~ **exterior of the exterior siding material.**

#### **Section 5.02(F)(5)(h)(i)**

Existing: All rooftop mechanical equipment, such as HVAC units, shall be screened from the view of all streets (public and private) by parapets, dormers, or other screens on properties within the Highway Corridor Overlay District. The material of all such screens shall be consistent with the exterior materials used on the façade of the structure.

Proposed: ~~All rooftop mechanical equipment, such as HVAC units, shall be screened from the view of all streets (public and private) by parapets, dormers, or other screens on properties within the Highway Corridor Overlay District. The material of all such screens shall be consistent with the exterior materials used on the façade of the structure.~~

### **Section 6.04(C)(3)**

Existing: 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.

Proposed: All mechanical equipment (**ie. roof-top, wall-mounted, or ground-mounted**) 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.~~ **Wall and ground-mounted equipment shall be screened with a wall or fence consistent with the exterior materials used on the primary building. Such walls and fences shall be a minimum of one (1) foot taller than the equipment and softened with landscaping. Roof-mounted equipment shall be screened from the view by parapets, dormers, portion of roof, or other screens. The material of all such screens shall be consistent with the exterior materials used on the façade of the primary building, unless use of such material is deemed not logical or feasible by the ARC, in which case the ARC may approve an alternative material. All roof-top equipment screens shall be constructed so that the equipment screen fully obscures the view of the equipment from all points of abutting property lines and all points of the farthest right-of-way line of any adjacent public or private street. The line of site measurements shall be taken at a height of 8' from grade along the applicable property line or right-of-way line. The Town may require multiple line of site exhibits depending upon existing or proposed conditions, including but not limited to distance from equipment and changes in grade. Mechanical and utility equipment not shown on plans (due to unknown location or other reasons) or mechanicals added that were not originally planned for do not remove the developer's responsibility to comply with these standards.**

### **Section 6.04(C)(1)(g)**

Existing: No standard

Proposed: **All commercial buildings of 15,000 square feet or less shall incorporate four-sided architecture. All buildings elevations shall feature the same materials and level of architectural detailing as the front elevation. Exceptions may be granted by the ARC for a side or rear elevation, which is not visible from an adjacent property, or an existing or planned private street or public right-of-way.**

### **Section 6.04(C)(1)(c)**

Existing: All siding must be brick, stone, 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 material shall be submitted for review by the Architectural Review Committee.

Proposed: All siding must be brick, stone, 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. **Any smooth-face CMU is limited to use as a trim or accent material. Changes in material shall be separated with a transition material.** All siding material shall be submitted for review by the Architectural Review Committee.

**Section 6.04(F)(6)**

Existing: No standard

Proposed: **Buildings must orient, frame, and/or direct pedestrian views to adjacent buildings, parks, plazas, destinations, and other points of interest.**

**Section 6.04(C)(1)(i)**

Existing:

Proposed: **Integrate at least one (1) material change, color variation, or horizontal reveal for every floor of a building façade (greater than two stories); vertical spacing may be averaged over façade. On such buildings, the first floor façade shall appear to be greater than the other floor heights. Integrate at least one (1) material change, color variation, or vertical reveal every 50-horizontal ft. of building façade (greater than 15,000 square feet); horizontal spacing may be averaged over façade elevation. All buildings, regardless of size or number of stories, shall use scale and design elements, such as but not limited to special lighting, awnings, trees, and other elements, to visually relate the building to the pedestrian scale and visually anchor the building to the ground/street level. Exceptions may be granted by the ARC for buildings featuring architectural styles which lend themselves to less variation.**

**Section 6.04(C)(1)(j)**

Existing: No standard

Proposed: **For at least 60% of the building foundation perimeter, use any combination of concrete, stone, or unique variation of color, texture, or material, at least 10" in height, around the base of the building. Buildings may alternatively incorporate other architectural features such as ledges, façade reveals, ground level fenestration, raised planters, or landscaping elements within 3' of finished grade.**

**Section 5.02(F)(5)(a)**

Existing: Wall recesses/projections that are at least 12 inches for every 700 feet of façade shall be required. Each projection shall extend for at least 20 percent of the length of the building.

Proposed: ~~Wall recesses/projections that are at least 12 inches for every 700 feet of façade shall be required. Each projection shall extend for at least 20 percent of the length of the building.~~

**Section 6.04(C)(1)(f)**

Existing: 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.

Proposed: If the length of any elevation is greater than **fifty (50)** ~~60~~ feet it shall have incorporated into the ~~design~~ wall plane **at least one (1)** ~~projections or recesses of a composite of at least five percent~~ **three (3) feet** of the length of any elevation and extending a width of at least **twenty (20)** percent of the length of any elevation. **If the length of any elevation is greater than one hundred (100) feet it shall have incorporated into the wall plane at least two (2) projections or recesses with a depth of at least three (3) feet and a width of at least 20% of the façade length. If the length of any elevation is greater than 150 feet it shall have incorporated into the wall plane at least two (2) projections or recesses with a depth of at least five (5) feet and a width of at least 20% of the façade length. If the length of any elevation is greater than 250 feet it shall have incorporated into the wall plane at least three (3) projections or recesses with a depth of at least five (5) feet and a width of at least 20% of the façade length. Flat roofs shall feature articulation that coincides with the wall plane articulation. For the purposes of administering and enforcing this Ordinance an awning shall not constitute a façade projection. The ARC may approve wall plane recesses and projections designs that do not meet the above noted minimums; however, under no circumstance shall the ARC approve a wall plane design that does not include any projections or recesses, unless the wall planes are less than 50 feet in length.**

**Section 6.04(C)**

Existing: None

Proposed: **Roof access shall be located within the interior space of the building to eliminate exterior ladders for roof access.**

**Section 5.02(F)(5)(c)**

Existing: 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.

Proposed: All front façades and facades **(except office, industrial, and institutional uses)** along pedestrian walkways shall have display windows, faux windows, or decorative windows for no less than 60 percent of the facades horizontal length.

**Section 5.02(F)(5)(e)**

Existing: All front facades shall include a repeating pattern that incorporates no less than three of the changes listed below. One of the changes used shall repeat horizontally. All changes used shall repeat at intervals of no more than 100 feet, either horizontally or vertically.

- i) Change in color;
- ii) Change in texture;
- iii) Change in material module;
- iv) Architectural change wherein the form of structural bays created through a change in plane is no less than 24 inches wide such as an offset, reveal, or projecting rib; or
- v) Change in story wherein there is a clear delineation between each story of the structure provided by a consistent cornice line.

Proposed: All front facades shall include a repeating pattern that incorporates no less than three of the changes listed below. One of the changes used shall repeat horizontally. All changes used shall repeat at intervals of no more than 100 feet, either horizontally or vertically. All other facades shall incorporate at least one (1) wall plane change listed below

- ~~i) Change in color;~~
- ~~ii) Change in texture;~~
- ~~iii) Change in material module;~~
- ~~iv) Architectural change wherein the form of structural bays created through a change in plane is no less than 24 inches wide such as an offset, reveal, or projecting rib; or~~
- ~~v) Change in story wherein there is a clear delineation between each story of the structure provided by a consistent cornice line.~~
- i) projections/recesses
- ii) columns with trim or accent materials
- iii) change in finished material depths
- iv) change in material
- v) building overhangs (as an architectural feature, not a standard roof overhang)
- vi) materials such as false windows or fenestration with architectural accents.
- vii) Other features as approved by the ARC.

Exceptions may be granted by the ARC for rear elevations which are not visible to adjacent properties, private streets, and/or public rights-of-way.

**Section 5.02(F)(5)(h)(v)**

Existing: No standard

Proposed: Flat roofs shall feature a parapet with varying heights. The variations in height shall coincide with wall plane articulation.

Commercial Pedestrian Accessibility

**Section 5.02(F)(6)(a)(iii)**

Existing: All internal pedestrian walkways shall be distinguished from driving surfaces through the use of special pavers, bricks, or scored concrete. The design characteristics of the internal pedestrian walkways shall continue when the walkway crosses driving surfaces.



Proposed: All internal pedestrian walkways shall be distinguished from driving surfaces through the use of special decorative pavers, decorative bricks, or scored stamped and colored concrete/asphalt. The design characteristics of the internal pedestrian walkways shall continue when the walkway crosses driving surfaces.

**Section 5.05(F)(6)(a)(ii)**

Existing: Sidewalks no less than eight feet wide shall be provided along the full length of a building along any façade that features a customer entrance.

Proposed: Sidewalks no less than eight six feet wide shall be provided along the full length of a building along any façade that features a customer entrance. Sidewalks no less than ten feet wide shall be provided along the full length of a retail building, with more than two tenant spaces or a gross size greater than 15,000 square feet, along any façade that features a customer entrance. Sidewalks no less than twelve feet wide shall be provided along the full length of a retail building, with more than three tenant spaces or a gross size greater than 40,000 square feet, along any façade that features a customer entrance. All such sidewalks, equal to or greater than ten feet wide shall feature landscape beds incorporated into the sidewalk. These beds shall not be wider than half the width of the sidewalk.

Street Lighting

**Section 5.02(F)(9) – Decorative Lighting**

Existing: Decorative lighting shall be required along CR 600 W. Decorative lighting shall also be required along Broadway, unless prohibited by INDOT. All standards set forth above shall apply where not in direct conflict with any other provision of this Ordinance. In the event that one or more of the following criteria conflicts with any other requirement of this Section, the more restrictive standard shall apply. (Refer to Appendix C, Lighting Specifications)

Proposed: Decorative lighting shall be required along CR 600 W and W. Broadway (unless prohibited by INDOT), in accordance with the design specifications detailed in Appendix C, Lighting Specifications. Town staff may approve alternative lighting if the overall design is consistent with the design and specifications of Appendix C. Decorative lighting shall also be required along Broadway, unless prohibited by INDOT. All standards set forth above shall apply where not in direct conflict with any other provision of this Ordinance. In the event that one or more of the following criteria conflicts with any other requirement of this Section, the more restrictive standard shall apply. (Refer to Appendix C, Lighting Specifications)

**Section 5.02(F)(10)**

Existing: None

Proposed: All standards set forth above shall apply where not in direct conflict with any other provision of this Ordinance. In the event that one or more of the following criteria conflicts with any other requirement of this Section, the more restrictive standard shall apply.

## Industrial Architecture

### **Section 6.04(H)(2)**

Existing: All siding must be stone, brick, cement fiber board, integrally colored CMU, or E.I.F.S. Pre-cast concrete (must have integral color or embedded brick or stone). Buildings clad in metal may be permitted. All siding materials shall be submitted for review by the Architectural Review Committee.

Proposed: ~~All siding must be stone, brick, cement fiber board, integrally colored CMU, or E.I.F.S. Pre-cast concrete (must have integral color or embedded brick or stone). Buildings clad in metal may be permitted. All siding materials shall be submitted for review by the Architectural Review Committee.~~ Exterior siding shall be stone, brick, E.I.F.S., and/or pre-cast concrete (painted or pigmented). The ARC may permit a portion of the building to covered in metal so long as the building design includes a minimum of a 3 foot tall masonry wainscot. The ARC may also approve buildings with architectural metal panels if the architectural style of the structure warrants the use.

### **Section 6.04(H)(3)**

Existing: 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 tower 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.

Proposed: 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 **and/or** transoms ~~width must equal door width~~;
- k) Architectural details such as tile work and moldings which are integrated into the building structure and design; **Embedded texture or reveal incorporated into the entrance design, featuring a complimentary accent color**;
- l) Integral planters or wing walls that incorporate landscaped areas ~~and/or places for sitting~~;
- m) Enhanced, **decorative** exterior lighting, such as wall sconces, building mounted accent lights, or decorative pedestal lights;
- n) ~~Prominent 3-D entryway feature such as a clock tower 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.~~

#### **Section 6.04(H)(4)**

Existing: No Standard

Proposed: **All pre-cast concrete must include embedded reveals on all elevations at uniform intervals to create visual interest and reduce the massing of the wall plane.**

#### **Section 6.04(H)(5)**

Existing: No standard

Proposed: 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 **or awnings**;
- 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 tower~~ **glass-encased entrance** 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.
- o) Other features as approved by the Architectural Review Committee**

**Section 6.04(H)(6)**

Existing: No standard

Proposed: **Front elevations shall feature a minimum of three colors. Other elevations visible from the public right-of-way shall feature a minimum of two colors.**

Pick-up/Drop-off Standards

**Section 6.05(M)**

Existing: No standard

Proposed: **Commercial developments featuring a minimum of 30,000 square feet of restaurant, retail, office, commercial services, and/or combination thereof shall be required to feature a dedicated area for vehicular pick-up and drop-off of visitors to the development. This pick-up/drop-off area shall not impact other on-site vehicular circulation. A pick-up/drop-off area shall not be less than 40' long and 8' deep. Any adjacent curb shall meet ADA accessibility guidelines.**

Residential Landscaping

Section 6.10(B)(3)

Existing: Each single-family residential lot shall have the following minimum specifications:

- a) A minimum of one shade tree
- b) A minimum of two ornamental trees, two evergreen trees, or one ornamental tree and one evergreen tree
- c) A minimum of eight shrubs, planted along the foundation of the primary building
- d) A minimum of one deciduous tree, planted in the front yard

Proposed: Each single-family residential lot shall have the following minimum specifications:

- a) A minimum of one shade tree
- b) A minimum of two ornamental trees, two evergreen trees, or one ornamental tree and one evergreen tree

- c) A minimum of ~~eight~~ **twelve** shrubs, planted along the foundation of the primary building
- d) A minimum of one deciduous tree, planted in the front yard
- e) **Any front-loading garage that protrudes a minimum of eight feet in front of the front elevation shall feature a minimum of eight shrubs along the foundation of side elevation (nearest the side-yard property line) of the garage.**

Industrial Landscaping

**Section 6.10(B)(2)**

Existing: A planting area five feet wide shall be installed along all sides of buildings. Sidewalks may be permitted in these areas, but shall not occupy the entire area on any side of the building. These adjacent planting areas need not be rectangular in shape as long as the required amount of space is landscaped. Innovative and original designs are encouraged. The adjacent planting area at the rear of a structure may be excluded if that structure is located less than 40 feet from the rear property line and sufficient peripheral planting is included to compensate for its removal. **Front elevations of all industrial buildings are required to plant a minimum of three (3) shrubs, two (2) ornamental trees, or a mix thereof approved by staff per twelve (12) lineal feet of building perimeter, exclusive of loading docks.**

**Section 6.10(B)(5)**

Existing: None

Proposed: **All industrial zoned lots shall incorporate a minimum twenty (20) foot wide perimeter landscape area along all perimeter road frontages. This perimeter landscape area shall include mounding and landscape plantings. Mounding shall be undulating, with at least 50% of the length of the mounding a minimum of three (3) feet higher than average adjacent grade of the property. The required landscape material shall be no less than five (5) trees and ten (10) shrubs per one hundred (100) lineal feet. Plantings shall feature a mix of evergreen and deciduous plantings.**

Home Occupation

**Section 4.14(M)**

Existing: No standard

Proposed: **Home occupations which comply with the list below are permitted by a Home Occupation Permit and are not required to receive a Special Exception from the BZA.**

- (1) Compliant with Section 4.14(C-L), and as further restricted below:
- (2) No signage
- (3) No on-site sales
- (4) No Operator/employee that is not an owner in the property
- (5) No storage or parking of business vehicles
- (6) No customer visits

Temporary Construction Sign

**Section 7.05(B)**

Existing: 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.

Proposed: No property, lot, or parcel shall be permitted more than one temporary ground sign. Exception: For properties, greater than 10 acres **and/or any property with active construction on-going**, one temporary ground sign may be permitted per frontage. Occupied tenant space shall be permitted no more than one temporary wall sign.

Legal/Non-conforming

**Section 9.01(B)**

Existing: Legal nonconforming situations differ from illegal nonconforming situations in that the reason for the noncompliance is caused by the enactment of a Zoning Ordinance or a change to the Zoning Ordinance (including amendments to the Official Zoning Map). The structure, lot or use has not changed, but due to the Zoning Ordinance enactment or change, the property no longer complies with the standards of the zoning district in which it is located. When this situation occurs, the property is deemed legal nonconforming or "grandfathered". Legal nonconforming structures, lots and uses, may continue in the manner and to the extent that they existed or were used at the time the change in the Zoning Ordinance was enacted, provided they are in compliance with this Article.

Proposed: Legal nonconforming situations differ from illegal nonconforming situations in that the reason for the noncompliance is caused by the enactment of a Zoning Ordinance or a change to the Zoning Ordinance (including amendments to the Official Zoning Map). The structure, lot or use has not changed, but due to the Zoning Ordinance enactment or change, the property no longer complies with the standards of the zoning district in which it is located. When this situation occurs, the property is deemed legal nonconforming or "grandfathered". Legal nonconforming structures, lots and uses, may continue in the manner and to the extent that they existed or were used at the time the

change in the Zoning Ordinance was enacted, provided they are in compliance with this Article; however, should the legal nonconforming structure(s), lot(s), and/or use (s) be altered in any way including but not limited to the size or scope of said structures, lots, and/ or use(s), such legal nonconforming status shall immediately terminate.

**Section 9.01(C)**

Existing: Structures, lots and uses, and other property features that are nonconforming due to prior variance, special exception, or other approvals shall not be subject to the provisions of this Article, but shall be considered conforming as long as they continue to comply with the terms and conditions of their approval.

Proposed: Structures, lots and uses, and other property features that are nonconforming due to prior variance, special exception, or other approvals shall not be subject to the provisions of this Article, but shall be considered conforming as long as they continue to comply with the terms, ~~and~~ conditions, and scope of their initial approval, however, such nonconforming status shall terminate immediately if the structure(s), lot(s), and/or use(s) is modified in any manner or is abandoned for a period of six (6) continuous months.