

FCO 2021-4

**Floyd County Board of Commissioners
Ordinance Amending FCO-2006-6 Zoning Ordinance**

Whereas, the Floyd County Board of Commissioners met on March 2, 2021 on this matter pursuant to IC 36-7-4-600 series,

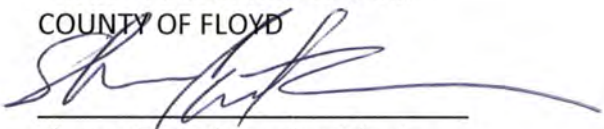
Whereas, The Board of Commissioners received a favorable recommendation to amend the Floyd County Zoning Ordinance from the Floyd County Plan Commission by a vote of 6-0;

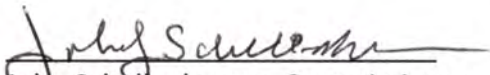
NOW, THEREFORE,

BE IT ORDAINED that Floyd County Board of Commissioners hereby amends the Floyd County Zoning Ordinance 2006-6 and with the language attached in Exhibit A:

SO ORDAINED this 2nd Day of March, 2021.


BOARD OF COMMISSIONERS
COUNTY OF FLOYD


Shawn Carruthers, President


John Schellenberger, Commissioner


Tim Kamer, Commissioner

ATTEST:


Jacqueline Wenning, Floyd County Auditor

2020 Amendments to FCO-2006-06 (Floyd County Zoning Ordinance)

Section 2.01 ADD/AMEND DEFINITIONS: TECHNICAL REVIEW COMMITTEE (TRC)/~~MINI-STORAGE~~, SHALL/SHOULD

TECHNICAL REVIEW COMMITTEE (TRC) means a committee tasked with the technical evaluation of subdivisions, commercial developments, or use requests and to make appropriate technical recommendations to the Commission, Plat Committee and Department. The TRC shall consist of the following members. County staff will be assigned as permanent chair and recording secretary of Technical Review Committee.

1. County Engineer
2. County Storm Water Coordinator
3. County Erosion Control
4. County Planning and Development
5. Representative from applicable Fire Department serving development
6. Representative of Plan Commission Plat Review Committee
7. Representative of each utility serving the development
8. Representative of Sheriff's Department
9. Representative of EMA services
10. Representative of Municipality if located with two miles (advisory)
11. Representative of School Corporation (advisory)

~~**MINI-STORAGE** means a building or group of buildings containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time. *A single fully enclosed structure containing separate, individual, and private storage spaces of varying sizes available for lease or rent for varying periods of time. "Barracks-style" storage is not permitted.*~~

Will come back to this with future amendments.

SHALL means a requirement that is mandatory whenever the criterion for conformance with the specification requires that there be no deviation.

SHOULD means a guideline or recommendation whenever noncompliance with the specification is permissible.

Section 3.06 Legal Non-Conforming Structures and Uses

H. Amortization of Non-conforming Sites. At the discretion of the Administrator or Plan Commission, a change in use, the redevelopment of a site, or a building permit for any improvements to the exterior of any structure requiring a state construction design release may justify the implementation of the following standards in order to bring non-conforming sites into compliance within the NC, GC, HS, OB and GI Districts:

- Section 5.19 and 5.20: Parking Standards (MF);
- Section 5.14: Landscaping Requirements;
- Sections 5.47 and 5.48: Site Access & Circulation;
- Sections 5.50, 5.51, and 5.52: Pedestrian Amenities; and
- Sections 5.55, 5.56, and 5.57: Lighting Standards.

3.07 Legal Non-Conforming Signs

H. Amortization of Non-conforming Signs. At the discretion of the Administrator or Plan Commission, a change in use, the redevelopment of a site, or a building permit requiring a state construction design release may justify the implementation of the standards in Sections 5.25, 5.26, 5.27, and 5.27.01: Sign Standards in order to bring non-conforming signs into compliance within the NC, GC, HS, OB and GI Districts.

SECTION 4: BUILDING & PARKING SETBACKS

Amend Section 4.24 to include the following:

Residential Urban District (RU) Development Standards	
Type of Standard	Development Standards
Minimum Lot Area	6,000 Square Feet – Single Family 12,000 Square Feet – Two-Family
Minimum Lot Width	50 Feet – (Single Family) Subdivision Street
((See 5.02 for additional standards)	80 Feet – (Two-Family) Subdivision Street
Minimum Lot Frontage	50 Feet – (Single Family) Subdivision Street
((See 5.02 for additional standards)	80 Feet – (Two-Family) Subdivision Street
Primary Maximum Structure Height	35 Feet
Accessory Maximum Structure Height	18 Feet
Water	Required connection to public water
Sanitary Sewer	Required connection to sanitary sewer system
Primary Structure Front Yard Setback	35 Feet – Arterial, Collector or Local Street 20 Feet – Subdivision Street (Amended 10)
Primary and Accessory Structure Side Yard Setback	10 feet or 0 feet on one side if attached – Single Family & Two-Family;
	Or
	5 Feet each side single family detached
Primary and Accessory Structure Rear Yard Setback	10 Feet
Maximum Primary Structure(s) per Lot	1
Minimum Ground Floor Area	950 Square feet (Amended 5)
Maximum Lot Coverage (Square footage of all primary structures, accessory structures and impervious surface shall not exceed:)	65 Percent

Amend Section 4.40 NC Standards to include the following:

Neighborhood Commercial (NC) Development Standards

Type of Standard	Development Standards
Minimum Lot Area	22,000 Square Feet
Minimum Lot Width	150 Feet
Minimum Lot Frontage	150 Feet
Primary Maximum Structure Height	35 Feet
Accessory Maximum Structure Height	18 Feet
Water	Require connection to public water
Sanitary Sewer	Require connection to sanitary sewer system
Primary Structure Front Yard Setback	30 Feet 10 feet minimum. If the front yard setback is a maximum of 30 feet, required parking may be reduced by 20%.
Primary and Accessory Structure Side Yard Setback	20 Feet 10 feet
Primary and Accessory Structure Rear Yard Setback	25 Feet 10 feet
Maximum Primary Structure(s) per Lot	1
Maximum Lot Coverage (Square footage of all primary structures, accessory structures and impervious surface shall not exceed:)	70 percent

Amend GC (Section 4.44), HS (Section 4.49), OB (Section 4.54) and GI (Section 4.59)

District Setbacks:

General Commercial District (GC) Development Standards

Type of Standard	Development Standards
Minimum Lot Area	43,560 Square feet (1 acre)
Minimum Lot Width	200 Feet
Minimum Lot Frontage	200 Feet
Primary Maximum Structure Height	35 Feet
Accessory Maximum Structure Height	18 Feet
Water	Required connection to public water
Sanitary Sewer	Required connection to sanitary sewer system
Primary Structure Front Yard Setback	40-feet 25 feet minimum. If the front yard setback is a maximum of 40 feet, required parking may be reduced by 20%.
Primary and Accessory Structure Side Yard Setback	20-feet 10 feet
Primary and Accessory Structure Rear Yard Setback	30-feet 10 Feet
Maximum Primary Structure(s) per Lot	1
Minimum Main Floor Area	2000 Square Feet (Amended 1)
Maximum Lot Coverage (Square footage of all primary structures, accessory structures and impervious surface shall not exceed:)	70 Percent

Highway Service District (HS) Development Standards

Type of Standard	Development Standards
Minimum Lot Area	30,000 Square Feet
Minimum Lot Width	150 Feet
Minimum Lot Frontage	150 Feet
Primary Maximum Structure Height	35 Feet
Accessory Maximum Structure Height	18 Feet
Water	Required connection to public water
Sanitary Sewer	Required connection to sanitary sewer system
Primary Structure Front Yard Setback	40-Feet 25 feet minimum. If the front yard setback is a maximum of 40 feet, required parking may be reduced by 20%.
Primary and Accessory Structure Side Yard Setback	20-Feet 10 feet
Primary and Accessory Structure Rear Yard Setback	30-Feet 10 feet
Maximum Primary Structure(s) per Lot	1
Maximum Lot Coverage (Square footage of all primary structures, accessory structures and impervious surface shall not exceed:)	70 Percent

Office Business District (OB) Development Standards

Type of Standard	Development Standards
Minimum Lot Area	43,560 Square Feet
Minimum Lot Width	150 Feet
Minimum Lot Frontage	150 Feet
Primary Maximum Structure Height	35 Feet
Accessory Maximum Structure Height	18 Feet
Water	Required connection to public water
Sanitary Sewer	Required connection to municipal sanitary sewer system
Primary Structure Front Yard Setback	40 Feet 25 feet minimum. If the front yard setback is a maximum of 40 feet, required parking may be reduced by 20%.
Primary and Accessory Structure Side Yard Setback	25 Feet 10 feet
Primary and Accessory Structure Rear Yard Setback	30 Feet 10 feet
Maximum Lot Coverage (Square footage of all primary structures, accessory structures and impervious surface shall not exceed:)	75 Percent

General Industrial (GI) Development Standards

Type of Standard	Development Standards
Minimum Lot Area	3 Acres
Minimum Lot Width	250 Feet
Minimum Lot Frontage	250 Feet
Primary Maximum Structure Height	35 Feet
Accessory Maximum Structure Height	18 Feet
Water	Required connection to public water
Sanitary Sewer	Required connection to municipal sanitary sewer system
Primary Structure Front Yard Setback	50 Feet 25 feet minimum. If the front yard setback is a maximum of 40 feet, required parking may be reduced by 20%.
Primary and Accessory Structure Side Yard Setback	40 Feet 20 feet
Primary and Accessory Structure Rear Yard Setback	40 Feet 20 feet
Maximum Lot Coverage (Square footage of all primary structures, accessory structures and impervious surface shall not exceed:)	75 Percent

Section 5.06 Accessory Use/Structure Standards

This Accessory Use/Structures Standards section applies to the following districts:

NC GC HS OB GI

F. Accessory structure(s) may only be located to the rear or side of the primary structure. **If located to the side, the accessory structure shall be at least twenty (20) feet behind the front façade of the primary structure.**

Section 5.18 Parking Standards

This Parking Standards section applies to the following districts.

RS RU

- A. Two (2) off-street paved with asphalt or concrete, are required per dwelling unit. Neither of the off-street parking spaces required may include spaces within carports or garages. Off-street parking spaces may not be fully or partially be in a public right-of-way or utility easement. Each space must be at least 9 feet wide by 18 feet deep.
- B. **Vehicles shall not be parked within the front yards or front yard setbacks except on approved paved driveways.**
- C. **Driveways shall be a minimum of twenty (20) feet in length, as measured from the back of sidewalk to the front building facade.**

Section 5.19 Parking Standards

This Parking Standards section applies to the following districts:

MF

- B. **Vehicles shall only be parked in areas designated as approved parking spaces.**
- C. **If at least thirty percent (30%) of all parking spaces are covered or fully enclosed with a structure constructed of materials that are similar to or compliment the architecture of the primary structures and located in the side yard and/or rear yard, the required number of parking spaces may be reduced by ten percent (10%) provided the total parking reduction allowed under this ordinance is not more than forty percent (40%).**
- D. **Parking areas visible from any public right-of-way shall have perimeter landscaping in accordance with Section 5.13 Landscaping.**
- E. **Parking areas within the development shall have internal landscaping in accordance with Section 5.13 Landscaping.**
- F. **Vehicles shall not be parked within the front yards or front yard setbacks except on approved designated parking areas.**
- G. **Driveways shall be a minimum of twenty (20) feet in length, as measured from the back of sidewalk to the front building facade.**

Section 5.20 Parking Standards

This Parking Standards section applies to the following districts:

NC GC HS OB GI PR

M. Parking is allowed in the front of the building but is encouraged to be located to the side or rear. If all parking is located in the rear of the building, the applicant is allowed one (1) of the following incentives that are in addition to any other incentives in this ordinance:

1. Increase the maximum lot coverage by ten percent (10%); or
2. Decrease the required the parking by twenty percent (20%) provided the total parking reduction allowed under this ordinance is not more than forty percent (40%).

N. Parking and loading areas that are visible from any public right-of-way shall have perimeter and internal landscaping to minimize the visual impact in accordance with Section 5.13 Landscaping.

O. Parking areas located in the front of the building shall have a landscape buffer between the sidewalk and/or right-of-way and the parking area in accordance with Section 5.13 Landscaping.

SECTION 5.04 ACCESSORY USE/STRUCTURE STANDARDS

Amend Section 5.04 Accessory Use/Structure Standards for clarification

Section 5.04 Accessory Use/Structure Standards

I. Accessory structure(s) shall be located to the rear or side of the primary structure unless otherwise permitted in this ordinance. ~~Accessory structures used for barns and private garages may be allowed in front of primary structure. Accessory structures used for barns and private garages shall meet front setback requirements for primary structures in AR district with five acres or greater.~~ *Accessory structures used for barns and private garages may be allowed in front of the primary structure in AR district with five acres or greater. Barns and private garages shall meet front setback requirements for primary structures.* Primary structures being located on a parcel with an existing legal conforming accessory structure(s) may be located to the rear of the existing legal conforming accessory structures.

SECTION 5.13: LANDSCAPING

Repeal Items C through E and Items G through J, and adopt the following additional standards in Section 5.13:

C. Tree(s) must be provided at a ratio of 1 deciduous tree per 20 lineal feet along public street/front setback area and 1 deciduous tree per 25 lineal feet along a side and rear lot line setback area. Tree(s) may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. Perimeter landscaping along a street may be located in and should be integrated with, the streetscape in the street right-of-way. Plantings within right-of-way must be approved by the County Engineer's Office.

D. Parking lots with 20 or more spaces must be screened from adjacent uses and the street. Screening must consist of an earthen berm, plant material or a combination of such elements which must have a minimum height of 36 inches. The earthen berm shall be measured at the top of the curb on the subject property side. The screening must extend a minimum of 70 percent along the street frontage and rear and side lots.

E. To eliminate excessive heat build-up and emission from large parking areas, landscape islands must be provided for every 20 parking spaces. All landscape islands must be at least 200 square feet in size contain at least one 6 foot tall tree that will exceed 30 feet when fully mature, and be designed such that any root ball of a tree is not within 4 feet of any edge of the island.

G. To install, erect, or maintain any outdoor illuminating device which shall not be shielded as follows:

FIXTURE LAMP TYPE SHIELDING

Low Pressure Sodium Partially

High Pressure Sodium Partially*

Quartz Fully

All Other Lighting Sources Fully**

* 100 watts or less used for residential security

** Outdoor advertising signs constructed of translucent materials and wholly lighted from within needed not be shielded.

H. To erect, operate, or maintain one or more non-exempt outdoor illuminating devices shall, in aggregate, create a maximum illumination which exceeds 0.1 horizontal foot-candles and 0.1 vertical foot-candles, as measured: (1) at a distance of 5 feet within the property line of an adjacent (occupied) residential parcel, or (2) at a distance of 10 feet from property line of an adjacent (occupied) commercial or industrial parcel, or (3) from the traveled portion of a public street, road, or highway.

I. To erect, operate, or maintain a non-exempt outdoor illuminating device which permits a line of sight to its bulb by an observer who is level with or higher than the ground below the fixture, if viewed from a distance of 5 feet within the property line of an adjacent (occupied) residential parcel or from the traveled portion of a public street, road, or highway.

J. To illuminate any outdoor advertising sign by means of one or more outdoor illuminating devices which; (1) are not mounted on or at the level of the top of the sign structure, or (2) permit line of sight to its bulb when viewed at the edges of the sign or beyond, or (3) that create, in aggregate, a maximum illumination on the vertical surface of the sign which exceeds 3.0 foot candles

Section 5.14 Landscaping Requirements

The following landscape standards shall apply to the development and the redevelopment of sites within the following districts:

MF NC GC HS OB GI

- A. All parking lots shall be screened for the purpose of minimizing the view of parked cars from the public right-of way. In addition, the interior of parking lots shall be landscaped to break up large areas of pavement, reduce impervious surfaces, reduce heat islands, provide shade for vehicles and pedestrians, and improve the overall visual appearance.
- B. Plants listed in Table 1: Prohibited Tree List and Table 2: Prohibited Shrub List are prohibited.

TABLE 1: PROHIBITED TREE LIST			
Genus	Specific Epithet	Common Name	Justification for Prohibition
Acer	platanoides	Norway Maple	Invasive
Ailanthus	altissima	Tree of Heaven	Invasive
Albizia	julibrissin	Mimosa	Invasive
Alnus	glutinosa	Black Alder	Invasive
Fraxinus	species	Ash	Emerald Ash Borer Insect Susceptibility
Morus	alba	White Mulberry	Invasive
Paulownia	tomentosa	Princess Tree	Invasive
Phellodendron	amurense	Amur Cork Tree	Invasive
Pyrus	calleryana	Callery Pear	Invasive, including 'Bradford' and other hybrids
Quercus	acutissima	Sawtooth Oak	Invasive Potential
Triadica	sebifera	Chinese Tallow Tree	Invasive
Ulmus	pumila	Siberian Elm	Invasive

TABLE 2: PROHIBITED SHRUB LIST			
Genus	Specific Epithet	Common Name	Justification for Prohibition
Berberis	vulgaris	Common Barberry	Invasive Potential
Berberis	thunbergii	Japanese Barberry	Invasive
Celastrus	orbiculatus	Asian Bittersweet	Invasive
Elaeagnus	angustifolia	Russian Olive	Invasive
Elaeagnus	umbellata	Autumn Olive	Invasive
Euonymus	alatus	Burning Bush	Invasive
Euonymus	fortunei	Wintercreeper	Invasive
Fallopia	x bohemica	Bohemian Knotweed	Invasive, including other hybrids
Fallopia	sachalinensis	Giant Knotweed	Invasive
Frangula	alnus	Glossy Buckthorn	Invasive
Hypericum	perforatum	St. John's Wort	Invasive
Ligustrum	amurense	Amur privet	Invasive Potential
Ligustrum	obtusifolium	Blunt Leaved Privet	Invasive

Ligustrum	ovalifolium	California Privet	Invasive Potential
Ligustrum	sinense	Chinese Privet	Invasive Potential
Ligustrum	vulgare	Common Privet	Invasive Potential
Lonicera	japonica	Japanese Honeysuckle	Invasive
Lonicera	maackii	Amur Honeysuckle	Invasive
Lonicera	morrowii	Morrow's Honeysuckle	Invasive
Lonicera	tartarica	Tartarian Honeysuckle	Invasive
Lonicera	x bella	Bell's Honeysuckle	Invasive
Rhamnus	cathartica	Common Buckthorn	Invasive
Rhamnus	frangula	Tall Buckthorn	Invasive
Rosa	multiflora	Multiflora Rose	Invasive
Rubus	phoenicolasius	Wine Raspberry	Invasive Potential
Spiraea	japonica	Japanese Meadowsweet	Invasive
Viburnum	opulus	European Cranberry	Invasive, including the variety opulus

- C. If at least eight percent (80%) of plantings are native species, as approved by the Administrator, the required number of plantings may be reduced by ten percent (10%). This reduction does not apply to buffer yard plantings.
- D. Deciduous trees are to be a minimum of two (2) inches in diameter or eight (8) feet tall at the time of planting. Evergreen trees shall be a minimum of five (5) feet tall at the time of planting.
- E. All plant material that dies must be replaced by the property owner within six (6) months so as to maintain the approved bufferyard and landscape plan. Landscaped areas shall be properly drained, regularly maintained, and free of weeds, dirt, trash, and debris.
- F. Perimeter plantings shall be required and shall include:
 - 1. One (1) deciduous tree or evergreen tree and four (4) shrubs per twenty (20) linear feet is required along the primary right-of-way; and
 - 2. One (1) deciduous tree or evergreen tree and three (3) shrubs per twenty-five (25) linear feet is required along any side and/or rear street
- G. All surface parking lots and loading areas that are visible from a public right-of-way shall include a buffer between the parking and public right-of-way that:
 - 1. Is a minimum of seven (7) feet in width and is located between the parking lot(s) and loading dock(s) and the public right-of-way; and
 - 2. Fully screens vehicles from all public rights-of way, excluding driveways, and is at least three (3) feet in height at the time of installation. This may include trees, evergreens, shrubs, berms, decorative fencing (opaque), and/or masonry walls
- H. If there are no structures located between buffer / plantings and the public right-of-way, the plantings used to satisfy the screening requirements may also be used to satisfy the perimeter parking requirements in Section 1.b above.
- I. All parking lots shall contain one (1) deciduous tree or evergreen tree for every eight (8) parking spaces. Any fraction of a required tree shall be rounded up to the whole number. Trees shall be placed within landscape islands.
- J. Landscape Island Requirements.

1. Landscape islands shall be at least eight (8) feet by sixteen (16) feet in size.
 2. The end of every parking aisle shall have a landscape island for parking lots with twenty (20) or more spaces.
 3. No more than fifteen (15) parking spaces can occur in a row before a landscape island is required for parking lots with twenty (20) or more spaces and no more than ten (10) parking spaces can occur in a row before a landscape island is required for parking lots with less than twenty (20) spaces.
 4. In addition to the required trees, landscape islands shall contain a variety of plantings as well as ground cover, mulch, or stone that is well-maintained.
- A. **Rain Gardens and Bioswales.** For every one (1) square foot of rain garden(s) and/or bioswale(s) that are installed to the specifications of and approved by the Floyd County Stormwater Board can be used to satisfy the landscape island requirements.
1. Rain gardens and bioswales must also file a continual maintenance plan with the planning & zoning department.
 2. For every 128 square feet of rain garden or bioswale that is installed, two parking spaces can be reduced from the overall parking requirements. Reduction in parking spaces must not exceed 10% of required parking.

Section 5.25, 5.26, 5.27, 5.27.01 Sign Standards

Section 5.25 Sign – General Standards

The intent of this section 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 county; eliminate potential hazards to motorists and pedestrians resulting from signs; and promote the health, safety, and welfare of the residents of Floyd County

This General Sign Standards section applies to the following districts:

AR RR RS RU MF NC GC HS OB GI PR

Except as otherwise provided in this Article, it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign within the jurisdiction of the Floyd County Plan Commission, or cause the same to be done without first obtaining a sign permit from the County Planner. The following general sign standards apply to all signs within the jurisdiction of the Floyd County Plan Commission.

- A. Signs for which a permit is required may be inspected periodically by the County Planner or designate for compliance with this Article.
- B. The County Planner may order the removal of any sign erected or maintained in violation of this Article consistent with the provisions of Article 15 of this Ordinance.
- C. All signs and their components shall be kept in good repair and in safe, neat, clean and attractive condition. If failure to maintain a sign is determined by the County Planner, a written notice will be given to the owner, business operator or lessee of the property consistent with the provisions of Article 15 of this Ordinance.
- D. A sign shall be removed by the owner or lessee of the premises upon which the sign is located within 30 days from the date when the business which it advertises is no longer conducted on the premises. For the purpose of this requirement, the sign shall include all supports, poles, and other structural elements. In no instance shall the removal of only the sign face be considered compliance with this provision.
- E. All illuminated signs must meet the standards specified in the State Electrical Code, as adopted and amended by the State of Indiana. In addition, all illuminated signs shall comply with the lighting standards set forth in this Ordinance under Article 13 and the following.
 - 1. All illuminating elements shall be kept in satisfactory working condition and immediately repaired or replaced if damaged or burned out. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated.
 - 2. All electrical wiring for permanent signs shall be in conduit. All electricity for signs shall have a disconnecting switch located in a readily accessible place.

3. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways.

F. The following signs do not require a permit from all provisions of this Ordinance

- ~~1. Signs owned and maintained by government agencies.~~
2. Signs inside a building, excepting the following:
 - a. Strobe lights, and/or floating lights visible from a public right-of-way, private road or other private property.
3. Signs carved into or part of materials that are integral part of the building.
4. A single sign where the display surface does not exceed 6 square feet
5. Incidental signs situated on the inside of a window or door
6. Flags
7. Signs required by law or legal action ~~including but not limited to, signs warning of hazardous or dangerous conditions on a premises and land use application and hearing notice signs.~~

G. The following types of signs are expressly prohibited in all zoning districts.

1. Signs with animated, rotating or moveable parts or lights or emits an audible sound, odor or visible matter excepting government signs and signs meeting the exception set forth in animated sign definition.
2. Signs that purport to be or are in imitation of, or resemble an official traffic sign or signal ~~or which bear the words "Stop", "Slow", "Caution", "Danger", "Warning", or similar words.~~
3. Signs that may be construed as a light of an emergency or road equipment vehicle.
4. Signs that hide any traffic or roadway sign, signal or device from view.
5. Signs that interfere with the Sight Visibility Area as set forth in Section 5.24.
6. Signs located in any right-of-way.
7. Signs that obstruct any door, fire escape, stairway, or any opening intended to provide entrance or exit for any structure.
8. Signs placed on vehicles, trailers, or wheeled platforms parked on public or private property primarily for the purpose of displaying the sign. Prohibited signs do not include those displayed on vehicles parked for the purpose of lawfully making deliveries or random sales or service. Prohibited signs do not include vehicles which are customarily used for transporting persons or properties, and vehicles parked at a driver's place of residence during non-business hours or for incidental purposes, so long as the sign relates to the services and goods provided.
9. Pole Signs

Section 5.26 Temporary Sign Standards

This Temporary Sign Standards section applies to the following districts:

AR RR RS RU MF NC GC HS OB GI PR

- A. Temporary sign(s) shall be permitted providing:

1. Any temporary sign(s) permitted shall be located, installed and maintained in accordance with all other provisions of this section and other applicable state and local codes. **(Amended 1)**
 2. Total square footage of the temporary sign(s) shall not exceed a total of 36 square feet cumulatively. **(Amended 1)**
 3. No temporary sign can exceed 6 feet in height as measured from the ground
 4. Temporary sign(s) shall be for temporary use only and shall not exceed a total of 6 months of use during a calendar year.
 5. Temporary signs can be renewed at the discretion of the Administrator.
- B. Any temporary sign maintained in excess of the time limit of the permit or otherwise in conflict with any provisions of this ordinance may be declared a nuisance and hazard and is subject to removal by the County Planner at the expense of the owner. **(Amended 6)**

~~C. Construction project signs shall be permitted on each street frontage of the project subject to the following:~~

- ~~1. The sign shall not exceed 64 square feet in area.~~
- ~~2. Be confined to the construction area.~~
- ~~3. Signs can not be erected until all applicable approvals have been made.~~
- ~~4. Construction Project Signs shall be removed when 90 percent of development's lots and/or space has been leased or sold.~~

Section 5.27 Permanent On-Premise Sign Standards

This Permanent Sign Standards section applies to the following districts

NC GC HS OB GI PR

The following sign regulations shall apply. All signs require a permit unless otherwise specified.

- A. 2.5 square foot of sign area shall be allowed for every 1 linear foot of the front façade of the building that is occupied by that use or for every 1 linear foot of lot frontage. (For example: If a use occupies a tenant space in a commercial building and that space includes 50 feet of the buildings frontage then 125 square feet of signage would be allowed for the use.) In no instance shall the amount of signage permitted per use exceed 200 square feet. Any combination of the following signs may be used as long as they do not exceed the total area allowed per use or are inconsistent with the other development standards listed in this section: **(Amended 10)**
1. Wall signs,
 2. Awning signs,
 3. Projecting signs,
 - ~~4. Pole signs, **(Amended 1)**~~
 5. Ground signs, **(Amended 1)**
 6. Multi-Tenant Joint Entrance Signs
 7. Roof Signs **(Amended 3)**

- B. Wall signs shall be located on the facade of the primary structure. No wall sign shall exceed 50 square feet in area and shall not exceed above the eaves of the façade of the building. ~~Marquee/Reader board signs can not exceed 40 percent of the total square footage of a wall sign.~~ **(Amended 5)**
- C. Awning signs shall be printed on awnings mounted on the facade of the primary structure.
- D. No projecting sign shall, at its lowest point (except for the supporting building, structure, or column), be less than 8 feet above grade level. In no case shall it extend more than 4 feet beyond its supporting structure. Permission must be granted by the County Engineer if the proposed sign extends into the right-of-way. No projecting sign shall exceed 12 square feet in area. No more than 1 projecting sign shall be permitted per use.
- E. **Ground signs** shall be placed a minimum of 10 feet from the public right-of way. ~~No pole sign may exceed 18 feet in height and 64 square feet in area.~~ No ground signs may exceed 12 feet in height and 75 square feet in total area. Free-standing signs may be double-faced. **(Amended 1)** ~~Marquee/Reader board signs can not exceed 40 percent of the total square footage of a free-standing sign.~~ **(Amended 5) (Amended 10)**
- F. Structures containing multiple uses shall establish 1 sign at each entrance for the joint use of all tenants for which the facility is designed. The use of individual free-standing signs for each tenant is prohibited. Each sign shall be setback a minimum of 10 feet from all public rights-of-way. No multi-tenant sign may exceed the primary building height for the base zoning district and exceed 32 square feet per tenant in area doubled faced. **(Amended 1)**

- G. Commercial and industrial subdivision(s) lots shall establish 1 ground sign per subdivision lot. No pole signs are allowed. Each ground sign shall be setback a minimum 10 feet from all public right-of ways. No ground sign may exceed 12 feet in height and exceed 64 square feet. **(Amended 1)**
- H. Non-illuminated window signs not exceeding 25 percent of the window area are permitted. No permit is required and they shall not be counted toward the total area allowed per use. Illuminated window signs, and any exceeding 25 percent of the window area shall be counted toward the total sign area and shall require a sign permit.
- ~~I. Directional signs must be no more than 4 feet in height and no more than 6 square feet in area. Directional signs shall be setback a minimum of 2 feet from all public rights of way. No permit is required and they shall not be counted toward the total area allowed per use. Directional signs shall not exceed two (2) square feet per sign. Directional signs shall comply with all setbacks from all public rights-of-ways and shall not be located within any site triangles. Directional signs, as needed to safely direct the flow of traffic, do not count toward the total permitted sign area.~~
- J. Roof Signs shall be located as per definition in ordinance. No roof sign shall exceed 50 square feet in sign area. **(Amended 3)**
- ~~K. Time and Temperature signs shall be allowed on wall, ground, pole or freestanding signs. A Time and Temperature sign can not exceed 10 percent of the total square footage for the abovementioned signs as defined in Section 5.27. **(Amended 5)**~~
- L. Marquee/Reader Board signs cannot exceed 40 percent of the total square footage of a wall sign or free standing sign. Any electronic portion of a marquee/reader board sign shall contain only static on-site messages that can change once a minute. Any display that contains or displays animated, variable, moving video or scrolling advertising shall be considered an Electronic Variable Message Sign.
- M. Sign Materials. Sign materials shall be consistent with the building materials of the primary structure.
- N. Sign Landscaping. All monument signs shall have a landscape area equivalent to the area of the sign that is at least two (2) feet in width on any side of the sign that displays content. Landscaping can include any combination of trees, evergreens, shrubs, and/or groundcover that is at least one (1) foot in height.

Section 5.27.01 Permanent On-Premise Electronic Variable Message Signs

Electronic Variable Message Signs shall comply with the requirements of this section and all other applicable sign requirements set forth in this ordinance.

This Permanent Sign Standards section applies to the following districts

GC

- A. Electronic Variable Message sign shall be allowed only in Integrated Centers.
- B. Electronic Variable Message sign shall be located a minimum of two hundred feet from an road intersection
- C. 1 (One) Electronic Variable Message sign shall be allowed per Integrated Center
- D. Electronic Variable Message sign shall not exceed 60 square feet in area.
- E. Electronic Variable Message sign shall be located on a ground, ~~pole~~, or multi-tenant sign.
- F. Electronic Variable Message sign shall not contain or display animated, moving video or scrolling advertising.

- G. Electronic Variable Message Signs shall display an image, symbol or combination thereof for a period of time not less than ten (10) seconds, and a change in the image, symbol, or combination shall be accomplished in two (2) seconds and occur simultaneously. Once changed, the image, symbol or combination shall remain static until the next change.

- H. Electronic Variable Message Signs must contain a default mechanism that freezes the sign in one position if a malfunction occurs.

- I. Electronic Variable Message Sign shall only be allowed to advertise on-premises businesses

- J. Electronic Variable Message Sign shall operate under the same business hours as the Integrated Center hours of operation.

Section 5.44 Building Site and Orientation

Purpose. The intent of these regulations is to have primary and accessory structures oriented towards the street to promote pedestrian-oriented design and clear identification of points of entry in addition to creating entrances that are easily identifiable, inviting, and properly accessible.

Section 5.45 Building Orientation Standards within NC, GC, HS, OB, and GI Districts. Standards included in this section shall be required for the construction of any new structure; and the renovation or expansion of existing structures that is equal to twenty percent (20%) or more of existing floor area.

The following standards shall apply to all development and redevelopment within the following districts:

NC GC HS OB GI

- A. Front of buildings should be oriented towards public streets and intersections.
- B. If the primary entrance of a building is not oriented towards a public street, architectural features shall be incorporated on the façade facing the street to provide visual character (See Section ##: Architectural Design).
- C. Buildings located on corner lots should incorporate a corner entrance.
- D. Accessory structures shall be located to the rear or side of the primary structure. If located to the side, the accessory structure shall be at least twenty (20) feet behind the front building facade of the primary structure.

Section 5.46 Building Orientation Standards within MF and RU Districts. All new structures shall meet the following building orientation standards to create an attractive street appearance that contributes to neighborhood character, fosters social interaction among neighbors, and ensures separation between public areas (including sidewalks and streets) and private areas (including front porches and entryways). The following standards shall apply to all development and redevelopment within the following districts:

RU

- A. Primary residential entries shall be clearly identifiable and face the street to which they have primary access.
- B. Garages for single-family and two-family residential structures that are accessed from the rear, alley or oriented to the side may reduce the minimum structure size required by the subject zoning district by ten percent (10%) and reduce the front yard setback required by the subject zoning district by twenty percent (20%).

MF

- A. All facades on a multi-family structure (including side or rear) shall incorporate architectural features to provide visual character (See Section ##: Architectural Design).

SECTION 5.47: SITE ACCESS & CIRCULATION

Purpose. The intent of these provisions is to promote safe and efficient travel of vehicles, pedestrians, and other modes of transportation between the public rights-of-way and developed sites. To achieve these goals, the strategies and techniques utilized include:

1. Increasing spacing between driveways and points of access to public rights-of-way in order to allow for more orderly merging of traffic and present fewer challenges to vehicle drivers and other modes of transportation;
2. Utilizing of service and frontage roads to encourage the coordination of internal access within larger developments by minimizing the utilization of existing rights-of-way to access sites; and
3. Providing direct access between adjacent sites along corridors to allow patrons to go from one site to the next without having to leave and re-enter individual sites.

Section 5.48 Access and Circulation Standards within NC, GC, HS, OB, GI Districts. The location and quantity of new driveways shall be controlled and designed in order improve safety and minimize points of conflict between vehicles, pedestrians, and other modes of transportation. The following access management standards shall apply to the development and the redevelopment of sites within the following districts:

NC GC HS OB GI

- A. Direct access to a local public right-of-way shall be at the discretion of the Administrator or the Plan Commission. Utilization of access granted to a state right-of-way by a state agency shall be at the discretion of the County Engineer.
- B. Unless approved by the County Engineer, a driveway shall be no more than thirty six (36) feet in width, excluding medians, curb and gutter, if required, and taper.
- C. Non-industrial development
 1. Access shall be gained from frontage roads and/or cross-access easements from adjacent sites, where possible.
 2. Properties who are allowed direct access to a public right-of-way shall be limited to one (1) point of access per street frontage unless approved by the County Engineer.
- D. Driveways and points of ingress and/or egress to public roadways shall be clearly delineated with curbs and/or striping.
- E. An internal site circulation plan shall be submitted as part of the development plan process. Circulation shall be clearly delineated with striping and landscape islands to allow for safe movement of vehicles and pedestrians (See Section ##: Pedestrian Amenities and Section ##: Landscaping).
- F. The applicant/owner of the property shall pay all costs for constructing acceleration and/or deceleration lanes, additional turn lane(s), pavement widening, median construction and/or reconstruction, and/or other traffic safety measures that may be required in order to allow for safe vehicular maneuvering and pedestrian access of their parcel.

Section 5.49 Access and Circulation Standards within MF and RU Districts. The following access management standards shall apply to the development and the redevelopment of sites within the following districts:

RU

- A. Each parcel or lot shall be allowed no more than one (1) driveway to access a public or private roadway unless approved by the County Engineer.
- B. An individual driveway shall be no more than twenty (20) feet wide at the right-of-way. Driveways serving homes with three-car garages may begin to widen once the driveway is past the sidewalk or ten (10) feet from the edge

of roadway pavement if a sidewalk does not exist.

- C. Paved areas between the front of a single-family or two-family residential structure and the roadway shall be limited to those which are necessary for auto circulation and pedestrian access to the front entry point.

MF

- A. Properties who are allowed direct access to a public right-of-way shall be limited to one (1) point of access per street frontage unless approved by the County Engineer.
- B. Unless approved by the County Engineer, a driveway shall be no more than thirty-six (36) feet in width, excluding medians, curb and gutter, if required, and taper.
- C. Driveways and access drives to multi-family developments shall be designed so that vehicles can leave and enter the public right-of-way in a forward motion (and do not back directly into a roadway).
- D. An internal site circulation plan shall be submitted as part of the development plan process for all multi-family structures. Circulation shall be clearly delineated with striping and landscape islands to allow for safe movement of vehicles and pedestrians (See Section ##: Pedestrian Amenities and Section ##: Landscaping).

SECTION 5.50: PEDESTRIAN AMENITIES

Purpose. The intent of these standards is to provide multimodal transportation connectivity between different land uses, including personal passenger vehicles pedestrians, and bicycles, in addition to providing safe connections between parking areas and building entrances.

Section 5.51 Pedestrian Amenities within NC, GC, HS, OB and GI Districts. The following standards shall apply to all development and redevelopment within the following districts:

NC GC HS OB GI

- A. All developments are required to install concrete sidewalks that are at least five (5) feet in width along all public roads. At the discretion of the Administrator an asphalt pathway may alternatively be installed and must be at least eight (8) feet in width. Sidewalks and pathways shall be constructed per the adopted design standards. All sidewalks and pathways shall comply with current ADA standards.

Section 5.52 External/Perimeter Sidewalks and Pathways

- A. Sidewalks shall be installed along all public rights-of-way by the applicant/owner of the property for all development (including individual sites), even if adjacent sites do not have sidewalks.
- B. When crossing a driveway or entrance, sidewalks shall be clearly delineated with prominent markings or a change in paving material as required by the adopted design standards.
- C. Sidewalks shall align with and connect to sidewalks on adjacent sites.
- D. To protect pedestrians from vehicular traffic, sidewalks shall be separated from the edge of roadway pavement by a grass strip or landscaped area unless an integrated curb and sidewalk is approved by the County Engineer. This separation shall include:
 - a. An area of at least eight (8) feet in width if located adjacent to a collector road classification or higher; or
 - b. An area of at least four (4) feet in width if adjacent to a local road.
- E. If a development is located at an intersection of one or more public roads, the development may be required to install a crosswalk at the discretion of the Administrator.

Section 5.53 Internal Sidewalks and Pathways

- A. If any parking spaces are located further than sixty (60) feet from the primary entrance, a pedestrian connection from the furthest parking space to the primary entrance shall be provided. Said pedestrian connection shall be at least five (5) feet in width and separated from vehicular traffic through curbing, landscaping, or similar treatment.
- B. Concrete sidewalks are required on both sides of the internal street for new developments and shall be constructed per the adopted design standards and comply with current ADA standards.
- C. Crosswalks at intersections within the development shall include markings in accordance with MUTCD and be aligned with the perimeter sidewalk. All crosswalks shall comply with current ADA standards.
- D. Utility poles shall not be located within a sidewalk or pathway.

Section 5.54 Pedestrian Amenities within RU and MF Districts. The following standards shall apply to all development and redevelopment within the following districts:

RU

- A. All developments are required to install concrete sidewalks that meet the requirements of the Floyd County Subdivision Control Ordinance.
- B. Crosswalks at internal street intersections and perimeter intersections shall include markings in accordance with MUTCD and align with the perimeter sidewalk. All crosswalks shall comply with current ADA standards.
- C. All common areas, whether active or passive, shall be connected to the sidewalk system and accessible via a sidewalk or pathway.
- D. Sidewalks connecting building entrances, open space, and other improvements where pedestrian access is needed shall be provided. All sidewalks shall comply with current ADA standards.

MF

- A. All developments are required to install concrete sidewalks that are at least five (5) feet in width along all perimeter roads. At the discretion of the Administrator an asphalt pathway may alternatively be installed and must be at least eight (8) feet in width. Sidewalks and pathways shall be constructed per the adopted design standards. All sidewalks and pathways shall comply with current ADA standards.
- B. Crosswalks at internal street intersections and perimeter intersections shall include markings in accordance with MUTCD and align with the perimeter sidewalk. All crosswalks shall comply with current ADA standards.
- C. All common areas, whether active or passive, shall be connected to the sidewalk system and accessible via a sidewalk or pathway.
- D. Sidewalks connecting building entrances, open space, and other improvements where pedestrian access is needed shall be provided. All sidewalks shall comply with current ADA standards.

SECTION 5.55: LIGHTING STANDARDS

Purpose. The intent of these provisions is to minimize light pollution, reduce glare, increase energy conservation, and maintain quality physical and aesthetic character.

The following Lighting Standards shall apply to all development and redevelopment within the following districts:

NC GC HS OB GI

Section 5.56 Exterior Lighting

- A. A lighting plan shall be submitted as part of Development Plan and subject to review and approval by the Administrator as outlined in Section 9.
- B. Approved lighting sources include: high pressure sodium (HPS), light emitting diodes (LED), light emitting plasma (LEP), compact fluorescent lamps (CFL) and multifaceted reflector halogen lamps (MR). Low pressure sodium lighting is not approved.
- C. Exterior lighting fixtures shall be architecturally integrated with the character of the associated structures, site design, and landscape.
- D. Fixtures mounted eight (8) feet or higher shall be shielded and directed downward.
- E. Fixtures with more than 3,000 lumens shall have full cutoff fixtures.
- F. Lighting which is directed upward should be located on the west or east sides of the object being lit when possible.
- G. Lighting fixtures shall be harmonious to the theme of the development and shall be installed and maintained at the expense of the developer, or jointly by all property owners within the development.

Section 5.57 Parking Lot and Security Lighting

- A. Pole mounted and wall mounted lighting fixtures shall be full cutoff luminaires.
- B. Pole lighting fixtures shall not exceed twenty (20) feet in height.
- C. Illumination shall not exceed 0.1 foot-candles at the following locations:
 - 1. Ten (10) feet from the property line when the adjacent parcel includes an occupied residential use;
 - 2. Five (5) feet from the property line when the adjacent parcel includes an occupied commercial or industrial parcel; or
 - 3. Zero (0) feet from the closest edge of a travel lane on a public right-of-way.

Section 5.58 Lighting Standards within the MF and RU Districts. The following standards shall apply to all development and redevelopment within the MF and RU Districts.

RU

Section 5.59 Street Lighting

- A. Street light are not required for development within the RU District. However, if street lights are provided, they shall be installed by the developer at their expense and all maintenance, including all monthly service fees and charges, shall be the responsibility of the property owner(s) or Homeowners Association.

MF

Section 5.60 Exterior Lighting

- B. A lighting plan shall be submitted as part of the Development Plan or Secondary Plat and subject to review and approval by the Administrator as outlined in Section 9.
- C. Approved lighting sources include: high pressure sodium (HPS), light emitting diodes (LED), light emitting plasma (LEP), compact fluorescent lamps (CFL) and multifaceted reflector halogen lamps (MR). Low pressure sodium lighting is not approved.
- D. Lighting fixtures shall be harmonious to the theme of the development and shall be installed and maintained at the expense of the developer, homeowner's association, or jointly by all property owners within the development.

Section 5.61 Street Lighting

- A. Street lighting shall be provided at all:
 - 1. Entrance road(s) to the development,
 - 2. Intersection(s) of internal roadways;
 - 3. Ends or terminus of cul-de-sac(s), and
 - 4. Defined or marked pedestrian crossing(s).
- B. Pole lighting fixtures shall not exceed twenty (20) feet in height.
- C. Lamp lumens shall be fifteen thousand (15,000) or less and shall be full cutoff fixtures.

Section 5.62 Additional Standards for Multi-family Developments

- A. Common parking areas with four (4) or more spaces shall be illuminated.
- B. Glare-free light fixtures shall be provided at building entrances and exits.
- C. illumination shall not exceed 0.1 foot-candles at the following locations:
 - 1. Ten (10) feet from the property line when the adjacent parcel includes an occupied residential use;
 - 2. Five (5) feet from the property line when the adjacent parcel includes an occupied commercial or industrial parcel; or
 - 3. Zero (0) feet from the closest edge of a travel lane on a public right-of-way.
- D. Lighting fixtures shall be harmonious to the theme of the development and shall be installed and maintained at

the expense of the developer, or jointly by all property owners within the development.

SECTION 5.63: ARCHITECTURAL STANDARDS

Create new section 5.63 to cover architectural standards in all commercial and industrial zoning districts:

Purpose. The intent of these provisions is to promote quality design of new residential, commercial, and industrial structures to improve the appearance of development and promote structure longevity.

The following Architectural Standards shall apply to all development and redevelopment within the following districts:

NC GC HS OB GI

Section 5.64 General Standards

- A. These standards apply to all new structures and all new accessory structures.
- B. A unified architectural design and theme shall be applied to all structures within a development and shall be submitted as part of the development plan.

Section 5.65 Architecture

- A. All facades visible from any public right-of-way shall incorporate at least one (1) change in architectural materials or modulation every fifty (50) linear feet horizontally and every twelve (12) linear feet vertically. Fractions of horizontal and vertical distances shall be rounded up (For example, a façade that is 70 feet in length shall have at least 2 variations). Variations shall include:
 - a. A modulation of at least two (2) feet;
 - b. A change in material which also includes a change in color or texture;
 - c. Roofline and parapet variations such as step-downs, step backs, or architectural features; or
 - d. Other variation as approved by the Administrator.
- B. Equipment, such as air conditioning units, shall be screened from view from rights-of-way and adjacent properties by an enclosure designed as part of the building or by evergreen landscaping.
- C. Wall-mounted equipment, such as gas meters and electrical boxes, shall be painted to match the structure or screened from view.
- D. All primary structures shall incorporate at least two (2) architectural features into the building design that are pedestrian scaled. These features include fenestration patterns, architectural elements or detailing, material/pattern banding, awnings, ledges, specialty lighting, or other as approved by the Administrator.
- E. Walls and fences shall be compatible with the style of the primary structures.
- F. Dumpsters and all trash areas shall be completely enclosed and be similar to the materials and style of the primary structures.
- H. **Building Materials.** Permitted exterior building materials for all facades visible from any public right-of-way include brick, tile masonry, stucco (smooth or sand finish only), native stone, pre-cast masonry (for trim/cornice elements only), gypsum reinforced fiber concrete (for trim elements only), exterior insulation finish system fascias - EIFS (with moderate finish texture), or other materials as approved by the Administrator. Non-corrugated metal and vinyl siding are permitted if they do not exceed twenty percent (20%) of the total façade. No corrugated metal sheeting/aluminum siding/enamelled steel, non-decorative

concrete block, or similar materials are permitted.

Section 5.66 Architectural Standards in MF and RU Districts. The following access management standards shall apply to all development and redevelopment within the MF and RU Districts.

RU

- A. These standards apply to new primary and accessory structures.
- B. New accessory structures shall be constructed to match the architectural style and building form of the primary structure including bulk, color, roof design, and architectural features.
- C. The primary structure shall be consistent on all sides of the building.
- D. The front façade of the structure shall contain at least two (2) different building materials.
- E. A covered front porch shall be provided.

MF

- A. These standards apply to new primary and accessory structures.
- B. New accessory structures shall be constructed to match the architectural style and building form of the primary structure including bulk, color, roof design, and architectural features.
- C. Dumpsters and all trash areas shall be completely enclosed and be similar to the materials and style of the primary structures.
- D. Wall-mounted equipment, such as gas meters and electrical boxes, shall be painted to match the structure or screened from view.
- E. **Building Materials.** Permitted exterior building materials for all facades visible from any public right-of-way shall include brick, tile masonry, stucco (smooth or sand finish only), native stone, pre-cast masonry (for trim/cornice elements only), gypsum reinforced fiber concrete (for trim elements only), exterior insulation finish system fascias – EIFS (with moderate finish texture), or other materials as approved by the Administrator. Non-corrugated metal and vinyl siding are permitted if they do not exceed twenty percent (20%) of the total façade. No corrugated metal sheeting/aluminum siding/enameled steel, non-decorative concrete block, or similar materials are permitted. The overall style of multi-family structures shall be consistent on all sides of the building. The front façade of the structure shall contain at least two (2) different permitted building materials, such as brick, masonry, horizontal siding, vertical siding, shake siding, board & batten, or other as approved by the Administrator.
- F. **Utilities.** If all utilities on the parcel are buried/relocated underground, the maximum lot coverage may be increased by ten percent (10%) and the required parking may be decreased by twenty percent (20%) provided the total parking reduction allowed under this ordinance is not more than forty percent (40%). This standard does not apply to the Gateway Overlay Districts.

SECTION 8.06: GATEWAY OVERLAY DISTRICTS

Repeal Item E.1, Item E.2, and Item F.1, and adopt the following additional standards in Section 8.06:

E. Building facades shall consist of a variety of architectural features and building materials to encourage distinct character for a building or group of buildings. The following standards apply within the district. (**Amended 1**)(**Amended 13**)

~~1. The primary building facade material shall be brick, natural or cut stone, or a masonry material. The plan commission may consider alternative facade material. Aluminum siding, enameled steel, and non-decorative concrete masonry block are prohibited in commercial and multi-family districts.~~

~~2. The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public street.~~

SECTION 8.06 E #4. Architectural Standards in MF and RU Districts within the Gateway Overlay Districts:

1. Equipment, such as air conditioning units, shall be screened from view from rights-of-way and adjacent properties by an enclosure designed as part of the building or by evergreen landscaping.

Section 9.03 DEVELOPMENT PLAN REQUIREMENTS

Amend Section 9.03 Development Plan Requirements:

The following Development Plan Requirements are for the following districts.

MF NC GC HS OB GI

A. The applicant must file an application for Development Plan Review. ~~The Plan Commission must review the development plan.~~ *The development plan will be reviewed by the Technical Review Committee (TRC). If no significant modification requests, the TRC shall have the authority to approve the Development Plan Review. Staff, in consultation with the Technical Review Committee (TRC) may require a Development Plan Review to be heard by the Plan Commission if deemed necessary.*

Section 17.01 TECHNICAL REVIEW COMMITTEE

A. The Technical Review Committee or (TRC) shall be tasked with the technical evaluation of subdivisions, commercial developments, or use requests and to make appropriate technical recommendations to the Commission, Plat Committee and Department. The TRC shall consist of the following members. County staff will be assigned as permanent chair and recording secretary of Technical Review Committee.

1. County Engineer
2. County Storm Water Coordinator
3. County Erosion Control
4. County Planning and Development
5. Representative from applicable Fire Department serving development
6. Representative of Plan Commission Plat Review Committee
7. Representative of each utility serving the development
8. Representative of Sheriff's Department
9. Representative of EMA services
10. Representative of Municipality if located with two miles (advisory)
11. Representative of School Corporation (advisory)

B. The Technical Review Committee (TRC) shall be tasked with reviewing all Variance, Conditional Use, Special Exception (Use Variance), and Development Plan applications.

C. The Technical Review Committee (TRC) shall meet as necessary.

D. The Plan Commission Director shall have the authority to waive the Technical Review Committee (TRC) review requirement if the request is considered minor.

E. If no significant modifications are requested, the TRC shall have the authority to approve the Development Plan Review applications.