

**Ch. 176.56 Architectural Design Standards and Site Development Plan Review.** The requirements, guidelines, and standards set forth in this Section shall apply to any development or redevelopment of property within the City of Marion.

1. **Statement of Intent.** In the interest of promoting the general welfare of the community and to protect the value of buildings and property, the image and character of a community are considered important. It is recognized that the community should be visually attractive, as well as financially prosperous and the manner in which a use is accomplished is as important as the use. The way in which a site is laid out impacts surrounding properties and it is in the best interest of the public to have thoughtfully planned sites. The quality of architecture and building construction is important to the preservation and enhancement of building and property values, the prevention of the physical deterioration of buildings, and the promotion of the image of the community and the general welfare of its residents.
2. **Applicability.** The restrictions, regulations, and guidelines on development or redevelopment set forth by this Section shall apply community-wide to all uses, except for dwellings consisting of single-units, two-units, three-units, or four-units.
  - a. The applicability of Architectural Requirements, herein, shall exclude properties with a Central Corridor zoning district classification, properties zoned as Manufacturing, properties zoned as Planned Unit Development, or non-occupiable structures within a Public Institutional or Recreation and Open Space zoning district.
  - b. The applicability of the Site Development Plan Review, herein, shall exclude properties considered to have a Central Corridor Zoning District classification or properties considered to have a Planned Unit Development classification.
  - c. A site shall be considered as being “redeveloped” when a site is reconfigured beyond 50%, when a structure is proposed to be reconstructed beyond 50%, demolished in whole or in part, the expansion of an outdoor use by 10%, a change, alteration, modification, or replacement of existing façade material type, or when a site improvement or structure is proposed to be enlarged or expanded by 10%.
  - d. Routine repairs or replacement of existing areas for off-street parking, loading zones, storage areas, access drives, or drive-thrus that do not change the configuration or vehicular flow of traffic around the site shall be excluded from this Section.
  - e. Routine repairs or replacement of façade materials that do not materially change the appearance, shape, or configuration of the structure shall be excluded from this Section.
  - f. The requirements of this Section do not apply to any site plan or plan of improvements which have been submitted for review or has received approval, or any building permit which has been submitted for review or has been issued as of the date of the adoption of this ordinance. Except in the instance when work has not commenced after one year of approval of an

approved site plan or plan of improvement or in the instance that a building permit expires prior to work commencing on site.

- g. The powers of the Zoning Board of Adjustment as started within Section 176.36 shall hold precedent over this Section herein.

3. **Architectural Requirements.** The use of quality architectural materials shall be used on all sides of all buildings and structures to enhance the physical appearance of the building and attempt to make the structures more compatible with residential structures in the adjacent neighborhoods. The architectural design shall recognize the importance of material strength and permanency through the selection of building materials, and the principle of structural strength and permanency shall dominate the structural and exterior materials and components.

- a. Exterior Façade Material Standards. Material standards shall apply to all sides of any building.
  - i. The primary material shall constitute at least 75% of the wall area, excluding glass. Except in multifamily residential where the primary material shall constitute at least 50% of the wall area excluding glass.
  - ii. The remaining exterior material shall be considered as secondary/trim material. The remaining exterior material can be any combination of secondary/trim material or primary material.
    - 1. The maximum amount of secondary/trim material on the wall area, excluding glass, shall not exceed 25 percent; except for multi-family residential where it shall not exceed 50 percent, excluding glass.
    - 2. For the purposes of this section, trim is defined as an ornamental design feature, that when removed does not significantly alter the appearance of the building. It would commonly consist of building elements like moldings, cornices, parapet, frieze, sills, lintels, stringcourse, quoining, and ledgement.

b. Exterior Façade Materials.

<sup>1</sup> Exterior Façade Materials	Primary Material	Secondary/Trim Material
Aluminum Siding		X
Architectural Concrete Panels	X	X
Architectural Steel Panels	X	X
Architectural Stone Panels	X	X
Brick	X	X
E.I.F.S. (Exterior Insulated & Finish Systems)		X
Fiber Cement Board		X
Natural Stone	X	X
Non-Architectural Sheet Metal		X
Steel Siding		X
Textured Concrete Block	X	X
Vinyl/Plastic Siding		X
Wood Siding		X

<sup>1</sup> Materials not listed as a primary or secondary/trim material may be approved as an acceptable material by the Planning and Zoning Commission when the material is considered a part of the architectural design of the façade or building design.

- c. A maximum deviation of 5% of primary material may be permitted if a reasonable justification is provided by the applicant.
  - d. The wall area is defined as the total square feet of the exterior elevation of the building that is vertical to the ground. It may contain a gable end or dormer in the same plane of view. It does not contain the elevation area of a pitched roof but would include the area of a parapet wall. Each elevation must comply with the standards unless otherwise provided for herein or as approved by the City Council.
  - e. Unsightly/utilitarian aspects of buildings (loading docks, loading areas, outside storage areas, garbage dumpsters, and HVAC mechanical units) shall be screened from any public street and adjoining properties. Preference is given to siting loading docks or loading areas out of view from public streets.
  - f. Multiple buildings on the same site shall provide compatible and complementary design materials while limiting repetitive, monotonous design.
4. **Exterior Lighting Standards.** Lighting on the site shall adhere to the following standards. City staff and officials may request the submittal of a formal lighting and photometric plan at their discretion, the content of which shall be determined at the time that such a request is made.
- a. Light Trespass and Distraction. Lighting shall be provided in such a way as

to not interfere with roadway traffic, spill over onto adjacent properties, and/or pollute the night sky. The light levels shall be no greater than zero (0) foot-candle at any property line or public right-of-way line. Where this foot-candle restriction cannot be met, an administrative variance may be applied for when trespass may occur onto a business/commercial, office/service, manufacturing, or public institutional zoned property, but is not permitted to trespass onto any agricultural, residential, or multi-family residential property. Specifically, the following types of light trespass are prohibited:

- i. Any light not designed for roadway illumination that produces direct or reflected glare that could disturb the operator of a motor vehicle.
    - ii. Any light that may be confused with, or construed as a traffic control device, except as authorized by the state, federal, and local government.
  - b. Unshielded Lighting. The use of unshielded lighting, including incandescent light bulbs, hung or strung on poles, wires, or any other type of support is prohibited except on a temporary basis not to exceed two weeks and when associated with construction activity on the property.
5. **Pedestrian Sidewalks.** Sidewalks shall be placed in the city right-of-way adjacent to all public streets as required by the Marion Code of Ordinances. All individual lots must provide a means of access from the public sidewalk to all buildings located on a parcel.
6. **Exterior Building Renderings and Elevations.** A colored rendering of each building on site being newly constructed or reconstructed shall be submitted illustrating all sides of the building. The type of material, material color, and percentage of each material used per building face. Elevations should also include the dimensions of the illustrated wall.
7. **Submittal Requirements.** All business/commercial, office/service, public institutional, and multi-family residential site development plans are required to provide the following items at a minimum to be considered a complete submittal:
  - a. Site Development Plan Application
  - b. Site Development Plan Checklist
  - c. Site Development Plan
  - d. Any other information not herein stated that is specific to the site plan and deemed necessary by City staff.
8. **Review Process.**
  - a. Pre-Submittal Consultation. A pre-submittal consultation meeting is not required but is recommended to acquaint City staff with the proposed project and to inform the applicant and/or their designee of any potential concerns or procedures associated with the proposed project.
    - i. An informal preliminary review will occur with applicable city departments of a conceptual design, resulting in feedback to the applicant and/or their designee regarding the proposed concept

prior to an official submittal.

- ii. Zoning verification of the proposed use will be verified at this time.
- b. Official Submittal. An official submittal is deemed complete when an application, checklist, and applicable materials and fees as indicated herein Subsection 176.55-7 and within the site development plan review application have been received by the Community Development Department.
  - i. A completed submission will proceed to internal review by applicable city departments.
  - ii. Staff will notify the applicant and/or their designee in writing of any revisions or additional information needed to proceed in the review process. If necessary, the applicant and/or their designee shall make the required revisions and resubmit the revised plan for City acceptance.
  - iii. Once the submittal complies with the requirements set forth in this section, the applicant's request will be forwarded to the Planning and Zoning Commission for final consideration of approval, approval subject to conditions, or denial.
  - iv. In the case of a denial, the Planning and Zoning Commission shall provide its reasoning for the decision.
- c. Standards for Review. In considering factors and characteristics which affect the function and appearance of a development, the Planning and Zoning Commission, before making any decision in a specific case, shall first determine:
  - i. Conformance to design standards herein and other applicable Code requirements;
  - ii. Architectural character, including scale, style, color, and type of material of the building as it relates to the surrounding neighborhood;
  - iii. Location of the building(s), and the relationship of the development site with adjacent buildings and sites;
  - iv. Layout and utilization of building(s) on-site, parking areas, driveway access points, and open spaces;
  - v. Vehicular and pedestrian circulation paths;
  - vi. Location of low visual interest or visually intrusive site elements (such as trash enclosures, open storage, service areas, and loading docks).

9. **Limitation on Successive Applications.** A site development plan which was denied by the Planning and Zoning Commission may be revised and resubmitted by the applicant and/or their designee to the City, pursuant to the terms of this section and upon the payment of all applicable fees:

- a. The reasoning for the denial by the Planning and Zoning Commission has

been addressed.

- b. The proposed use of the site has changed.
  - c. Substantial changes have been made to the site development plan. For the purpose of this section, a “substantial change” shall constitute a change greater than 10% of the overall site development plan.
10. **Appeals.** An applicant and/or their designee may appeal of the Planning and Zoning Commission’s decision to the City Council in whole or in part.
- a. A written appeal shall be made within 60 days of the determination made by the Planning and Zoning Commission to the City Clerk.
  - b. Once an appeal is made, it shall be placed on the next regular agenda of the City Council, provided that it is submitted 10 days prior to the meeting date.
  - c. The applicant and/or their designee shall be provided a reasonable opportunity to present their views regarding the decision of the Planning and Zoning Commission. A 3/4 vote of the Council shall be necessary to overturn or modify the action of the Planning and Zoning Commission.
11. **Site Development Plan Enforcement.** Failure to comply with the approved site development plan shall be considered a violation of the Zoning Code.
12. **Amendments to an Approved Site Development Plan.** Minor amendments may be made to an approved site development plan in accordance with the standards and procedures herein with prior approval of the Community Development Director.
- a. A material change that still meets the Design Standards as stated herein.
  - b. A 10% increase in the overall coverage of structures, but no more than what is permitted within the underlying zoning classification.
  - c. A 10% increase in the density of a multi-family residential development, but no more than what is permitted within the underlying zoning classification.
  - d. An increase of the peripheral areas, while still meeting the requirements of the underlying zoning classification.
  - e. A 10% reduction in open space, but no less than the requirement of the underlying zoning classification.
  - f. A 10% reduction in off-street parking spaces, but no less than what is required per Section 176.29.
  - g. A substitution of landscaping species and/or an increase in the overall amount of landscaping being provided.
  - h. A change in exterior lighting fixtures, provided that a photometric plan shows no change in the intensity of light at the property line.
  - i. A change in parking lot design, provided that driveway locations do not shift, landscape and screening standards are maintained per Section 176.43 and all requirements of this section herein are met.

13. **Validity of Approval.** A site development plan shall be considered valid upon approval or approval subject to conditions by the Planning and Zoning Commission.
  - a. A site plan shall remain valid for 24 months after the date of approval or once a building permit has been issued and is considered active. For the purpose of this section, an “active building permit” is one that has not expired.