

PLAINFIELD TOWN COUNCIL

ORDINANCE NO. 06-2010

**AN ORDINANCE TO AMEND
THE PLAINFIELD ZONING ORDINANCE
OF THE TOWN OF PLAINFIELD, INDIANA,
AND FIXING A TIME WHEN
THE SAME SHALL TAKE EFFECT**

WHEREAS, I.C. 36-7-4, et seq., empowers the Town of Plainfield Plan Commission to hold public hearings and make recommendations to the Town Council of the Town of Plainfield concerning ordinances for the zoning or districting of all lands within the incorporated areas of the Town of Plainfield; and,

WHEREAS, the Town of Plainfield Plan Commission has conducted a public hearing in accordance with I.C. 36-7-4, et seq., with respect to a proposal to amend the Plainfield Zoning Ordinance of the Town of Plainfield, Indiana, and has certified such proposal to the Town Council of the Town of Plainfield with a favorable recommendation:

**NOW, THEREFORE, BE IT ORDAINED BY THE
TOWN COUNCIL OF THE TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA AS FOLLOWS:**

Section 1. Amendment Of Zoning Ordinance

That the Plainfield Zoning Ordinance, Ordinance No. 21-97, as amended, be further amended by deleting the ~~strikeout~~ text and inserting the double-underlined text as set forth in the attached Exhibit A attached hereto and incorporated herein by this reference.

Section 2. Severability

If any section of this Ordinance shall be held invalid by a court of competent jurisdiction, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose, the provisions of this Ordinance are hereby declared to be severable.

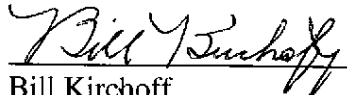
Section 3. Effective Date

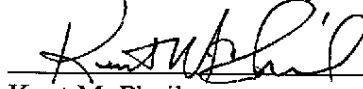
This Ordinance shall be effective within the incorporated areas of the Town of Plainfield, Hendricks County, Indiana upon its adoption by the Town Council of the Town of Plainfield, as provided in I.C. 36-7-4.

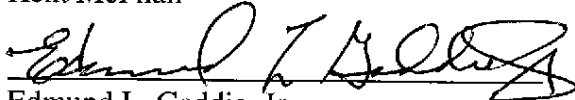
Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this 12th day of April 2010

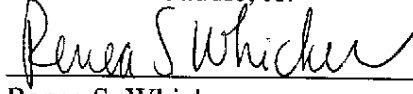
**TOWN COUNCIL, THE TOWN OF PLAINFIELD,
HENDRICKS COUNTY, INDIANA**


Robin G. Brandgard, President


Bill Kirchoff



Kent McPhail


Edmund L. Gaddie, Jr.


Renea S. Whicker

Constituting a majority of all the members of the Town Council

ATTESTED BY:


Wesley R. Bennett, Clerk-Treasurer of
the Town of Plainfield, Indiana

PUBLISHED: APR 17 2010
Hendricks County Flyer
Hendricks County Flyer APR 21 2010

3.8 MUN: Municipal Use District

Intent - The MUN: Municipal Use *Districts* are established to promote and maintain the development facilities for municipal use within the Town of Plainfield. The development of municipal facilities or the major expansion of existing municipal facilities within the MUN: Municipal Use *Districts* shall be subject to the approval of a Municipal Use Master Plan, as provided for in Article 3.8, C., below, to assure that the development of a particular municipal use and related facilities, is compatible with nearby residential neighborhoods.

A. *Permitted Uses.*

1. *Primary Uses*

Communication/Utilities

Electric Relay Station
Public Utility Substation
Public Wells
Pumping Station
Telephone Exchange
Water Towers
Water Treatment Plant

Educational Use

Public Library

Governmental Use

Governmental Offices
Fire Station
Municipal / State Maintenance
Facility

Governmental Use (continued)

Police Station
Post Office

Miscellaneous

Artificial Lake
Hospital
Mass Transit Facility (Bus/Light-Rail)

Public Facilities

Cemetery – without Crematory, Funeral
Home, or Mortuary
Community Center
Museum
*Neighborhood Recycling Collection
Point*
Parking Garage
Parking Lot

2. *Special Exception Uses*

Communication/Utilities

Communication Relay Tower
Sewage Treatment Plan
Storage Tanks – Non-hazardous

Governmental Use

Jail/Penal or Correctional Institution

Miscellaneous

Cemetery – with Crematory, Funeral
Home, or Mortuary

Public Facilities

Airport
Animal Shelter
Helicopter
Recycling Facility
Resource Recovery Facility
Sanitarium
Transfer Station

3. *Accessory Uses* –
- a. The provisions of Article 4.1 – Accessory Uses shall be applicable to development within the MUN: *Municipal Use District* to the extent that the items regulated in Article 4.1 – Accessory Uses are proposed for development at a municipal use site.
 - b. In addition, *Accessory Uses* in the MUN: *Municipal Use District* may include:
 - (1) those *Buildings, Structures* or facilities which are typically related to a municipal use,
 - (2) such other primary or accessory municipal uses included in a Municipal Use Master Plan filed with and approved by the *Plan Commission*; or,
 - (3) if no Municipal Use Master Plan exists, any municipal use or use incidental to a municipal use, which is reasonably related to existing municipal use facilities.
4. *Temporary Uses* –
- a. The provisions of Article 4.2 – Temporary Uses, Structures and Buildings shall be applicable to all temporary development within the MUN: *Municipal Use District* to the extent that the items regulated in Article 4.2 – Temporary Uses, Structures and Buildings are proposed for development at a municipal use site.
 - b. All *Temporary Uses, Structures and Buildings*, in the MUN: *Municipal Use District* shall obtain an *Improvement Location Permit*, if required by Article 4.2, A.
 - c. In addition, *Temporary Uses* in the MUN: *Municipal Use District* may include:
 - (1) any concert, festival, tournament, or other social activity related to a Town-Recognized Special Event identified in Article 7.2 of this Ordinance; or,
 - (2) other *Temporary Uses* as approved by the *Director* of the Department of Planning and Zoning as being compatible with the approved Municipal Use Master Plan or existing facilities.
 - d. Unless specified in an approved Municipal Use Master Plan, or specifically approved by the *Director*, no municipal use may conduct more than four (4) *Temporary Uses* in any calendar year,

and no individual *Temporary Use* shall exceed ten (10) days in duration.

B. *Development Standards.*

1. Minimum *Lot Area* – There shall be no minimum *Lot Area* requirement provided sufficient land area is available for all *Buildings, Parking Areas,* other improvements and landscaping as appropriate for the site.
2. Minimum *Lot Width* – 100 feet.
3. Minimum *Lot Frontage* – 100 feet on a *Public Street.*
4. Maximum *Lot Coverage* – Not applicable.
5. Minimum Yards and Building Setbacks

- a. Front - a minimum *Front Yard* and *Building Setback* measured from the *Proposed Right-of-Way* shall be provided as follows, unless an alternate standard is specified in an approved Municipal Use Master Plan:

<i>Interstate Street:</i>	60'
<i>Primary Arterial Street:</i>	30'
<i>Secondary Arterial Street:</i>	30'
<i>Collector Street:</i>	30'
<i>Local Street / Cul-de-sac Street:</i>	30'

- b. Side Yard and Rear Yard - a minimum *Side Yard* and a minimum *Rear Yard* shall be provided along all *Side Lot Lines* and *Rear Lot Lines* as follows:

- (1) *Primary Building* – 10'
- (2) *Accessory Buildings or Structures* – 10'

- c. A minimum 25' *Side and Rear Bufferyard* shall be provided along all *Side* and *Rear Lot* lines for the following uses:

Electric Relay Station, Public Utility Substations, Pumping Station, Water Towers, Water Treatment Plant, Municipal / State Maintenance Facility, Storage Tanks (non hazardous), Penal or Correctional Institution, Neighborhood Recycling Point, Recycling Facility, and Resource Recovery Facility.

6. Use of *Minimum Yards* and *Bufferyards*

Use of *Minimum Yards* and *Bufferyards* – All *Minimum Yards* and *Bufferyards* shall be landscaped with grass, trees, shrubbery, or hedge, or in combination with other suitable ground cover materials and shall remain free from *Structures* except where specifically permitted below:

- a. Minimum *Front Yards* and *Front Bufferyards* – may include: *Driveways*, greenways, trails, or walkways and shall otherwise be maintained as open space free from *Buildings* or *Structures*.
- b. *Minimum Side Yards*, *Minimum Rear Yards*, *Minimum Side Bufferyards* and *Minimum Rear Bufferyards* – may include: *Interior Access Driveways*, or greenways, trails, or walkways connecting to adjoining projects or subdivisions, provided the remainder of said *Yards* or *Bufferyards* shall be landscaped with grass and shrubbery, trees, or hedge, or in combination with other suitable ground cover materials and maintained as open space free from *Buildings* or *Structures*.

7. *Maximum Building Height* -

- a. *Primary Building* – 35', unless a greater height is specified in an approved Municipal Use Master Plan.
- b. *Accessory Building* or *Structures* – 25', unless a greater height is specified in an approved Municipal Use Master Plan.

8. *Minimum Main Floor Area* – Not Applicable.

9. *Off-Street Parking* – See Article 4.10 – Off-Street Parking Regulations.

10. *Signs* – The regulations contained in Article 7.6, D., for "Business and Other Uses permitted in the Residential Districts" shall apply to the MUN: Municipal Use *District*, unless, however, other permanent *Signs* or *Temporary Signs* included in an overall *Sign Program* (which includes the general number, size, type and location of *Signs*) which is approved by the *Plan Commission* as part of an approved Municipal Use Master Plan.

11. *Landscape Requirements* – Landscaping shall comply with the provisions of Article IV regarding landscaping for OD – Office *District* or I2 – Office Warehouse Industrial *District* developments where *Bufferyards* are required, unless an alternate standard is specified in an approved Municipal Use Master Plan.

12. *Lighting Requirements* – See Article IV and Article 5.5, C., 6., unless an alternate standard is specified in an approved Municipal Use Master Plan

for any outdoor lighting fixture, including lighting fixtures for *Parking Areas*.

13. Building Materials – The following provisions of Article 5.5 shall be applicable to all *Buildings*, unless an alternative standard is specified in an approved Municipal Use Master Plan.
 - a. New Construction – See Article 5.5, C., 3., a., (2) Commercial Districts.
 - b. Additions to Existing Buildings – See Article 5.5, C., 3, b.
 - c. Exterior Building Façade Renovations With No Building Additions Or Minor Building Additions – See Article 5.5, C., 3., c.
 - d. Exterior Building Façade Renovations with Major Building Additions – See Article 5.5, C., 3., d.

C. Municipal Use Master Plan Approvals.

Municipal Use Master Plans shall be approved in the following manner:

1. Approval of Municipal Use Master Plans.

The following shall be deemed to be approved Municipal Use Master Plans:

- a. A Municipal Use Master Plan submitted for *Plan Commission* approval as part of a requested petition for zone map change or, if the property is already zoned to the MUN: Municipal Use District, submitted for *Plan Commission* approval as part of a *Development Plan*.
- b. The latest plan for development at a municipal use site approved by the *Board of Zoning Appeals* in connection with a *Special Exception* grant prior to the adoption of this MUN: Municipal Use District.
- c. In the event of a legally established non-conforming municipal use for which there has been no *Plan Commission* approval of a Municipal Use Master Plan or grant of a *Special Exception* by the *Board of Zoning Appeals*, the Municipal Use Master Plan shall be interpreted as being the primary facilities, *Accessory Uses* and physical development of the site in existence on the date of adoption of this Ordinance.

2. Phases.

A Municipal Use Master Plan may be submitted as follows:

- a. Municipal Use Master Plan approvals may be obtained for a total project at one time or in phases. Phases may include physical areas of development (i.e., portions of an overall site) or elements of a development (i.e., *Building* elevations, a *Sign* program, landscaping, parking, etc.).
- b. If phases are of physical areas of development, the initial phase shall be depicted on an *Overall Plan* for the entire site. As the approval of each subsequent phase is requested, an updated *Overall Plan* which incorporates the prior approved phases and the proposed phase shall be required.
- c. Any initial Municipal Use Master Plan or subsequent phases of approval may include a request for waivers as authorized by Article 3.8, C., 6. below.

3. Applicability.
 - a. New Municipal Uses – A Municipal Use Master Plan shall be approved by the *Plan Commission* prior to the development of a new municipal use.
 - b. Major Expansions – A Municipal Use Master Plan shall be approved by the *Plan Commission* prior to any major expansion (i.e., greater than 10,000 square feet or in excess of 20% of *Gross Floor Area* of existing buildings) or the development of additional real estate at an existing municipal use site.
 - c. Minor Expansions – Minor expansions of existing facilities (i.e., less than 10,000 square feet and less than excess of 20% of *Gross Floor Area* of existing buildings) and the addition of *Accessory Uses* or *Temporary Uses* shall be subject only to *Director's* review of an *Improvement Location Permit* application for compliance with the provisions of Article 3.8, A. and Article 3.8, B., above.
 - d. Amendments – Amendments to Municipal Use Master Plans shall be determined in compliance with the process outlined in Article 5.8, E., 3., applicable to Commercial / Industrial Development within 600' of a Residential *District*.
4. After a Municipal Use Master Plan has been approved for a particular municipal use by the *Plan Commission* pursuant to this Article 3.8, C., all development within that municipal use site shall be subject only to *Director's* review of *Improvement Location Permit* applications for individual improvements for:
 - a. compliance with the *Permitted Uses* of Article 3.8, A., above;
 - b. compliance with the *Development Standards* of Article 3.8, B., above;
 - c. substantial compliance with an approved Municipal Use Master Plan; and,
 - d. compliance with any waivers which may have been granted by the *Plan Commission* pursuant to Article 3.8, C., 6., below (or by the *Board of Zoning Appeals* in connection with a *Special Exception* grant prior to the adoption of this MUN: Municipal Use *District*).

5. Procedures and Filing Requirements.

Notwithstanding anything in this Ordinance to the contrary, unless filed as part of a petition for zone map change, a Municipal Use Master Plan shall be filed as a *Development Plan* under same procedures as set forth in Article 5.8 of this Ordinance for Architectural and Site Design Review.

6. *Development Requirements* for the MUN: Municipal Use *District*.

a. *Development Requirements* for the MUN: Municipal Use *District* shall include the *Development Standards* of Article 3.8, B., above, and the additional *Development Requirements* specified below.

b. The additional *Development Requirements* which shall be satisfied prior to the approval of a *Development Plan* for Architectural and Site Design Review for any development within a MUN: Municipal Use *District* include the following:

- (1) A Municipal Use Master Plan, which shall include, at a minimum, general guidelines for the improvement of a municipal use site, including but not limited to: a listing the size of the municipal facility proposed; the overall layout and design of the site (i.e., location, size and scope of *Buildings* or *Structures*, *Off-Street Parking Areas* and *Signs*); conceptual *Building* elevations for major *Buildings* or *Structures*; proposed site lighting; and, conceptual landscape plans;
- (2) Each Municipal Use Master Plan shall demonstrate compliance with all applicable *Development Standards* of the MUN: Municipal Use *District* for which a waiver is not provided for in this Article; and,
- (3) Each Municipal Use Master Plan shall demonstrate compliance with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted.

7. Findings.

The *Plan Commission* may approve a *Development Plan* for Architectural and Site Design Review as proposed by a Municipal Use Master Plan upon finding that:

- a. the *Development Plan* complies with all applicable *Development Standards* of MUN: Municipal Use District for which a waiver has not been granted;
- b. the *Development Plan* complies with all applicable provisions of the Subdivision Control Ordinance for which a waiver has not been granted;
- c. the proposed development is consistent with the *Comprehensive Plan*;
- d. the proposed development is appropriate to the site and its surroundings; and,
- e. the proposed development is consistent with the intent and purpose of this Ordinance.

8. Waivers.

In order to encourage creativity in the design of municipal facilities within the Town of Plainfield, the *Plan Commission* may grant a waiver of any of the *Development Requirements* specified in this Article 3.8, B., for: Minimum *Front Yards*; Maximum *Building Height*; *Signs*; Landscaping; Lighting; and *Building Materials*, upon finding that the proposed municipal use development:

- a. Represents an innovative and appropriate development of a municipal use, including site design features, *Building* materials, lighting and landscaping which will enhance the use or value of area properties and the safety and functionality of the municipal use;
- b. Is consistent with and compatible with development located in the immediately surrounding area; and,
- c. Is consistent with the intent and purpose of this Ordinance.

7.4 On-Premise Signs: Commercial, Industrial Districts (Except for the TC - Town Center District and MU – Mixed Use District)

D. Building Identification Signs.

1. Type of *Signs*.

Building Identification Signs shall be limited to *Wall Signs*.

2. Number of *Building Identification Signs*.

There shall be no limit to the number of *Wall Building Identification Signs* per facade, provided that the total *Sign Surface Area* of all *Wall Signs* located on each *Building* facade shall not exceed the maximum *Sign Surface Area* for the *Building* facade upon which such *Signs* are located.

3. Maximum *Sign Surface Area* of *Building Identification Signs*.

The total *Sign Surface Area* of all *Building Identification Signs* except those located on a *Building*'s architectural features (including, but not limited to, gables, towers, etc.) oriented to an individual facade shall not exceed:

- a. Ten (10) percent of the total area of an individual *Façade Plane* of the *Structure* or tenant space on which the *Sign* is located; and,
- b. The linear measurement of a *Business Identification Wall Sign*, or grouping thereof, shall not exceed eighty (80) percent of the linear width of the *Façade Plane* of the *Structure* or tenant space on which the *Sign* is located.

Signs located on an architectural feature shall not exceed fifty (50) percent of the total area of the *Façade Plane* or tenant *Façade Plane* area where the *Sign* is located, and the linear width shall not exceed ninety-five (95) percent of the linear width of the *Façade Plane* or tenant width where the *Sign* is located.

10.5 Design Review Committee

A. Establishment and Purpose.

The *Plan Commission* is hereby authorized to establish, by resolution, a *Design Review Committee* as an Advisory Committee of Citizens.

The purpose of the *Design Review Committee* shall be to study problems and issues identified by the *Plan Commission* in its resolution establishing the *Design Review Committee* and to advise the *Plan Commission* concerning such problems and issues. Such advise to the *Plan Commission* may be provided by of way technical assistance to *Staff* and the *Plan Commission* in the exercise of their duties in connection with the administration of this Ordinance.

B. Duties and Powers.

The *Design Review Committee* shall study problems and issues identified by the *Plan Commission* and advise the *Plan Commission* concerning such problems and issues in sufficient detail to assist the *Plan Commission* in the *Plan Commission's*:

1. Review and determination of all *Development Plans*, including, but not limited to those *Development Plans* related to:
 - a. *Development Incentives* in RR, R-1, R-2 and R-3 *Districts*;
 - b. *Development Incentives* for the R-6 *District*;
 - c. *Development Incentives* for All Commercial and Industrial *Districts* (except the TC - Town Center *District*);
 - d. *Development Plans* Required for All Development Located in the R-6, All Commercial *Districts* and All Industrial *Districts* When Located Within Six-hundred (600) Feet of a Gateway Corridor;
 - e. *Development Plans* Required for Architectural Review in the TC - Town Center *District* and all other Commercial and Industrial *Districts* Within Six-hundred (600) Feet of a Residential *District*.
2. Review and recommendation of Planned Unit Developments as to:
 - a. Preliminary Plan Conceptual Design Review;
 - b. Zone Map Change; and,
 - c. Final Detailed Plan Secondary Review.

Article 10.5

Administration: Design Review Committee

3. Site Plan Review for an *Improvement Location Permit* applied for in connection with an Economic Revitalization Area Resolution adopted pursuant to Ordinance No. 5-97.
4. Site Plan Review in connection with a *Special Exception Use* application for Wireless Telecommunications Facilities.
5. Other applications or petitions identified by the *Director* as needing additional technical review including but not limited to the review of applications or petitions for *Improvement Location Permits*, *Zone Map Change*, *Primary Plat*, *Secondary Plat*, *Variance of Use*, *Variance of Development Standards*, and *Special Exceptions*.

C. Membership, Terms, Vacancies and Removal.

1. Membership

Membership of the *Design Review Committee* shall consist of a total of six (6) members. Such membership shall be determined as follows:

- a. One (1) ex-officio, non-voting member appointed by the *Plan Commission* from its membership; and,
- b. Five (5) voting citizen members whom shall be appointed by the *Plan Commission*.

2. Terms

Citizen members of the *Design Review Committee* shall serve three (3) year terms.

The term of ex-officio, non-voting *Plan Commission* members shall be for a period of one (1) year.

Initial terms of citizen members appointed pursuant to this Ordinance shall be: two (2) members for a period of one (1) year; two (2) members for a period of two (2) years and one (1) member for a period of three (3) years.

The *Plan Commission* may appoint an alternate member to participate with the *Design Review Committee* who may serve at any meeting, hearing or procedure in which the regular member of that has a conflict of interest or at any meeting, hearing or procedure for which a regular member may be absent.

3. Vacancy

In the case of a vacancy on the *Design Review Committee*, the *Plan Commission* shall, as soon as practicable, appoint a new member to the *Design Review Committee* to complete the term which was vacated.

4. Removal

The *Plan Commission* shall have the power to remove any member of the *Design Review Committee* at any time.

D. Meetings, Hearings and Procedures.

The *Plan Commission* shall adopt Rules of Procedure to govern:

1. the scope of the *Design Review Committee's* review authority; and,
2. the conduct of all meetings, hearings and procedures of the *Design Review Committee*.

E. Records.

The *Design Review Committee* shall keep minutes of its hearings of all petitions as well as any investigations and other official actions taken; and shall record the vote on all actions taken. A shorthand, steno type or electronic record shall be made of all hearings of the *Design Review Committee* and shall remain on file with *Staff* for a period of six months following hearing and determination. All minutes and records filed with *Staff* shall be public records.

A transcription of such verbatim record or any hearing may be ordered by any party, and the cost thereof shall be paid by the party ordering such copy or copies.