

5.2 Development Incentives in R-1, R-2 and R-3 Districts.

The following *Development Incentives* are available for the development of *Single Family Dwelling Subdivisions* in the R-1, R-2 and R-3 *Districts*. The following *Development Incentives* are not available for the development in the R-4 or R-5 *Districts*.

All *Development Plans* which utilize the *Development Incentives* specified below in the R-1, R-2 and R-3 *Districts* shall be filed for review and approval by the *Plan Commission*.

A. Development Requirements.

1. Project Area (Minimum Size of Overall *Subdivision*).
The minimum acreage for any overall *Subdivision* to be developed utilizing the provision of this Article shall be (5) acres.
2. Project Density.
The overall maximum number of *Lots* within an overall *Subdivision* to be developed pursuant to this Article shall remain the same as that permitted by developing the same real estate into developable *Lots* in full compliance with all zoning, health, flood control and *Subdivision* laws, ordinances and regulations applicable to such real estate.
3. Water and Sewer Availability.
Attachment to public water and sanitary sewer facilities shall be mandatory for any overall *Subdivision* to be developed pursuant to this Article.
4. *Public Streets / Individual Lot Access*.
Each *Lot* within an overall *Subdivision* developed pursuant to this Article shall be served by:
 - a. *Public Streets*; or,
 - b. *Private Streets*, where each such *Private Street*:
 - (1) is designed and built to *Town Standards* for depth and materials;
 - (2) is designed so as to provide adequate maneuverability and *Access* for school busses, fire trucks and other emergency vehicle *Access*; and
 - (3) is approved by the *Plan Commission* as a waiver of the *Subdivision Control Ordinance*.
5. Project Open Space.
The amount of permanent open space created by the development of an Overall *Single Family Dwelling Subdivision* pursuant to this Article shall be equivalent to, or more than, the total reduction in area contained within developable *Lots* based upon a comparison of *Sketch Plan One* and *Sketch Plan Two* as required by Article 5.2, E., below.
6. Compliance with Residential Design Guidelines.
Each *Subdivision* shall demonstrate compliance with the following provisions of the Town of Plainfield Residential Design Guidelines:
 - a. Section 2 – Single Family and Two Family Guidelines;
 - b. Section 4 – Open Space;
 - c. Section 5 – Vehicular Design and Pedestrian Circulation; and,
 - d. Section 7 – Building Materials and Craftsmanship.
7. Compliance with other applicable laws.
Each *Subdivision* shall demonstrate compliance with all applicable *Development Standards* of the zoning *District* and *Subdivision Control Ordinance* for which a waiver is not otherwise provided for in this Article.

B. Waiver of Development Requirements in R-1, R-2 and R-3 Districts.

Individual *Lots* within an overall *Subdivision* that receives *Development Plan* Approval from the *Plan Commission* to be developed pursuant to this Article may be granted a waiver of the *Development Requirements* specified in this Ordinance to the extent permitted below:

1. Minimum *Lot Area*, except as provided below -

- a. The Minimum *Lot Area* requirements shall remain applicable to all *Lots* which abut the perimeter of a *Subdivision* section.
- b. The Minimum *Lot Area* for all *Lots* which do not abut the perimeter of a *Subdivision* section may be reduced in area up to the extent provided for below:

| <u>District</u> | <u>Minimum Lot Area</u> |
|-----------------|-------------------------|
| R-1 | 20,000 sq. ft. |
| R-2 | 10,000 sq. ft. |
| R-3 | 7,000 sq. ft. |

- c. When a Minimum *Lot Area* requirement is reduced as provided for in this Article for the first tier of *Lots* in from the perimeter of a *Subdivision*, a provision shall be made for a landscape and buffering area of not less than:
 - (1) fifty (50) feet in dimension between said first tier of *Lots* and any perimeter *Street*; or,
 - (2) thirty (30) feet in dimension between said first tier of *Lots* and the perimeter of that portion of the overall *Subdivision* for which this waiver is being requested, with landscaping and buffering details equivalent to a Level 5 (see Article 4.7 – Landscape Provisions) and as approved by the *Plan Commission* in connection with the approval of a *Development Plan* pursuant to this Article.

2. Minimum *Lot Width*, except as provided below -

- a. The Minimum *Lot Width* requirements shall remain applicable to all *Lots* which abut the perimeter of a *Subdivision* section.
- b. The Minimum *Lot Width* for all *Lots* which do not abut the perimeter of a *Subdivision* section may be reduced in area up to the extent provided for below:

| <u>District</u> | <u>Minimum Lot Width</u> |
|-----------------|--------------------------|
| R-1 | 80 feet |
| R-2 | 70 feet |
| R-3 | 60 feet |

- c. When a Minimum *Lot Width* requirement is reduced as provided for in this Article for the first tier of *Lots* in from the perimeter of a *Subdivision*, a provision shall be made for a landscape and buffering area of not less than:
 - (1) fifty (50) feet in dimension between said first tier of *Lots* and any perimeter *Street*; or,
 - (2) thirty (30) feet in dimension between said first tier of *Lots* and the perimeter of that portion of the overall *Subdivision* for which this waiver is being requested, with landscaping and buffering details equivalent to a Level 5 (see Article 4.7 – Landscape Provisions) and as approved by the *Plan Commission* in connection with the approval of a *Development Plan* pursuant to this Article.

3. Minimum *Front Yard*, except as provided below -

- a. The minimum *Front Yard* requirements may be reduced as follows:
 - (1) to twenty-five (25) feet for any portion of a *Structure* with a front loading *Garage*; or,
 - (2) to fifteen (15) feet for any portion of a *Structure* containing *Finished Floor Area* or a side-loaded *Garage*.

- b. In those *Subdivisions* where, in the determination of the *Plan Commission*, the product type may present a similar or repetitive appearance from *Lot* to *Lot*, a provision shall be provided on the plat or through other legally binding documents satisfactory to the *Plan Commission*, to:
- (1) create a variable build-to line; or,
 - (2) assure significant variation will exist in the design and appearance of adjacent *Single Family Dwelling Units*;
4. Maximum *Lot Coverage*, except as provided below -
The maximum *Lot Coverage* may not exceed:

| <u>District</u> | <u>Maximum % of Lot Coverage</u> |
|-----------------|--------------------------------------|
| R-1 | 30% |
| R-2 | 35% |
| R-3 | 40% |

5. The minimum *Side Yard* and *Aggregate Side Yard* requirements may be reduced in compliance with the following:

| <u>District</u> | <u>Minimum Side Yard</u> | <u>Aggregate Side Yard</u> |
|-----------------|------------------------------|--------------------------------|
| R-1 | 5' | 20' |
| R-2 | 5' | 15' |
| R-3 | 0' | 15' (between buildings) |

Provided, however, where a minimum *Side Yard* of less than five (5) feet is approved, a procedure shall be provided, recorded and maintained as part of the *Secondary Plat* for the continual maintenance of that portion of any *Structure* that is located within five (5) feet of the *Side Yard*.

6. The minimum *Rear Yard* requirements of the applicable zoning *District* shall remain applicable to all *Lots*.
7. The requirement for *Lot Frontage* on a *Public Street* and for each *Lot* to gain direct *Access* from said *Public Street* or an abutting *Alley* may be waived to allow for direct *Access* from a *Lot* to a *Private Street* or *Private Alley*.
8. The requirement for each *Single Family Dwelling* to demonstrate compliance with the Town of Plainfield Residential Design Guidelines may be waived to allow for the provision of: alternate architectural embellishments or *Building* design features; alternate open space accommodations; alternate vehicular design and pedestrian circulation accommodations; or, alternate building materials which are determined by the *Plan Commission* to be superior to the recommendations of the Town of Plainfield Residential Design Guidelines.

C. General Requirements for Project Open Space.

1. The open space created by any development which utilizes the provisions of this Article shall be:
 - a. preserved in its naturally occurring state;
 - b. developed only to the extent required to provide for (i) the passive recreational activities of walking, biking, hiking, picnicking (ii) developed and maintained as landscape features including, but not limited to, common areas, landscape easements, and boulevard entry ways (iii) other recreational or amenity features approved by the *Plan Commission*; or,

Article 5.2

Development Incentives: R-1, R-2 and R-3

- c. developed into an active recreational area; and,
if the project is located adjacent to any portion of the Greenway Plan as set forth in the *Comprehensive Plan*, a direct linkage to such Greenway from the open space shall be provided.
2. The development of such open space shall be subject to the following additional requirements:
 - a. Land area devoted to a perimeter landscape and buffering area as required above by Article 5.2, B., 1., for a *Lot Area* waiver or by Article 5.2, B., 2., for a *Lot Width* waiver, shall not qualify as open space under this Article 5.2, C. – General Requirements for Project Open Space or under Article 5.2, D. – Calculation of Open Space.
 - b. At least seventy-five (75) percent of the total open space created by development pursuant to this Article shall consist of tracts of land at least fifty (50) feet wide in its smallest dimension;
 - c. The open space shall be accessible to all owners or residents within the *Subdivision* or project, and their guests, by way of sidewalk, footpath or combined walkway/bikeway; and,
 - d. At least fifty (50) percent of the open space created by the development of an overall *Subdivision* pursuant to this Article shall be either
 - (i) preserved in its natural state
 - (ii) utilized for passive recreational activities or
 - (iii) maintained as landscape features.

D. Calculation of Open Space.

Open space shall be calculated by taking the total land area within *Lots* contained in *Sketch Plan One* (as defined below) and subtracting the total land area within *Lots* contained in *Sketch Plan Two* (as defined below).

E. Plan Documentation and Supporting Information.

All requests for *Development Plan* Approval within the R-1, R-2 and R-3 *Districts* pursuant to this Article shall include the following:

1. *Sketch Plan One*.
Sketch Plan One shall depict the development of the overall *Subdivision* in full compliance with all use and *Development Standards* of the applicable zoning *District* and all other applicable health, flood control and *Subdivision* laws, ordinances and regulations of the Town.
2. *Sketch Plan Two*.
Sketch Plan Two shall depict the development of the overall *Subdivision* pursuant to this Article.
3. *Development Plans* shall contain a proposed breakdown of sections to be contained in the overall *Subdivision*.
Section One of such overall *Subdivision* shall include an amount of open space equivalent to, or more than, the total reduction in *Lot Area* contained within developable *Lots* within that Section One of the overall *Subdivision* and shall be the first section of the *Subdivision* to be developed.
Any subsequent section of the *Subdivision* may utilize the "excess" permanent open space created and existing in Section One (and all prior sections) of such *Subdivision* to provide for *Lot Area* reductions within that subsequent section provided that the total amount of open space remains equivalent to, or more than, the total reduction in *Lot Area* contained within developable *Lots* within all approved sections of the *Subdivision* (including the section in question).

4. Open Space.

Documentary evidence of the provision of open space in a manner and amount equal to or in excess of that required by this Article shall be provide either in written format or in tabular format incorporated into *Sketch Plan Two*, above.

5. Residential Design Guidelines.

Documentary evidence, through the provision of: typical *Building* elevations; typical *Building* renderings; photographic and text explanations of architectural details; *Overall Site Plan*; material samples; manufacturer specifications; written commitments; or, proposed covenants, to demonstrate compliance with the Town of Plainfield Residential Design Guidelines.

F. Maintenance of Common Open Space.

Prior to obtaining *Secondary Plat* approval, the petitioner shall file documentary assurances with the Town that the permanent dedication and continuous maintenance of open space shall be made in accordance with the *Development Plan* approved by the *Plan Commission*, and that the common areas and recreation areas shall be made available to the residents of the overall *Subdivision* at a reasonable and non-discriminatory rate of charge. Such documentary assurances shall be incorporated into the *Secondary Plat* that is recorded in the Office of the Hendricks County Recorder or otherwise provided for through legally binding perpetual agreements as approved by the *Plan Commission*. Such open space shall perpetually run with the *Subdivision* section and shall not be developed or separated from the *Subdivision* section at a later date (unless no development of any portion of the overall *Subdivision* which utilizes the open space contained within that *Subdivision* section for the purpose of *Lot Area* reductions has occurred and the entire area subject to the *Subdivision* section is presented for replat).

G. Services for Private Drives.

Prior to obtaining *Secondary Plat* approval, the petitioner shall file documentary assurances with the Town that all residences served by private drives shall be provided with the following services: regular trash pick-up; leaf pick-up; snow removal; daily mail delivery service; roadway maintenance and repair, including, but not limited to, driving surface, roadway subgrade, subsurface drainage, roadside drainage, curbs, sidewalks, *Street* lights, *Street* name signs, traffic control signs, and traffic control signals; and, powers to enforce speed control and parking regulations. Such services shall be provided in accordance with the specifications approved by the *Plan Commission*, which shall include the establishment of a maintenance fund or escrow account by the petitioner, which may be supplemented by regular or special assessments against each *Lot* owner provided such assessments are at reasonable and non-discriminatory rate of charge. Such documentary assurances shall be incorporated into the *Secondary Plat* that is recorded in the Office of the Hendricks County Recorder or otherwise provided for through legally binding perpetual agreements as approved by the *Plan Commission*.

Article 5.2

Development Incentives: R-1, R-2 and R-3

H. Findings.

The *Plan Commission* may approve a *Development Plan* (and thereby grant the waivers requested by the petitioner) indicating compliance with this Article only upon finding that:

1. The use or value of area properties will not be adversely affected;
2. The proposed development will be in compliance with the applicable *Development Requirements* and General Requirements for Project Open Space;
3. The proposed development has demonstrated the use of *Building* design features and site layout consistent with the intent and recommendations of the Town of Plainfield Residential Design Guidelines;
4. The proposed development is appropriate to the site and its surroundings; and,
5. The proposed development is consistent with the intent and purpose of this Ordinance.