

2.1 General Procedures

A. Conceptual Plat Review

A pre-filing conference with *Staff* to perform a *Conceptual Plat Review* is required prior to filing for *Primary Plat* approval for all *Non-Residential Incremental Subdivisions*. A pre-filing conference, however, is not required prior to filing for *Primary Plat* approval for all other *Subdivisions*.

At a pre-filing conference to perform a *Conceptual Plat Review*, the *Subdivider* shall provide four (4) copies of a preliminary *Sketch Plan* capable of depicting the conceptual layout of the major features of the proposed *Subdivision* (*Streets*, drainage features, water lines, sewer lines and other utility services). *Staff* may take up to ten (10) business days to review the proposed *Sketch Plan* and provide comments back to the *Subdivider*. The *Subdivider* is encouraged to incorporate the comments received from *Staff* into the design of the *Subdivision* prior to filing for *Primary Plat* approval.

Notwithstanding anything contained in this Ordinance to the contrary, neither the *Staff's Conceptual Plat Review* of the proposed *Sketch Plan* submitted at a pre-filing conference nor *Staff's* comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed *Primary Plat*.

B. Filing for Primary Plat Approval

1. *Subdivision* plats shall be initiated by the filing of a notarized petition, in a form as prescribed by the Department of Planning and Zoning, signed by the owners or an *Authorized Agent* of the owners of the land involved in the petition. An *Authorized Agent* shall file a written statement with the Department, signed by the owner on a form acceptable to the Department, at the time of filing a petition which authorizes the agent to act on the owner's behalf.
2. Petitions for *Primary Plat* approval shall be filed with the Department of Planning and Zoning no later than 12:00 noon on the day of the Filing Deadline set forth below:

<u>Type of Petition</u>	<u>Filing Deadline*</u>
Residential Subdivisions	
Minor	37 days
Major	60 days
Non-Residential Subdivisions	60 days

* NOTE: The Filing Deadline shall mean the number of days prior to the initial hearing before the *Plan Commission* at which the petition is to be considered.

3. Each petition for *Primary Plat* approval shall be accompanied by four (4) folded copies of the *Primary Plat*. A copy of the proposed *Primary Plat* shall be submitted to each *Checkpoint Agency* prior to filing with the Department of Planning and Zoning.
4. All petitions shall be on forms provided by the Department of Planning and Zoning. In addition, site plans, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality as specified below.
5. When Findings of Fact are required by this Ordinance, the petitioner shall prepare proposed detailed written findings of fact which shall be filed at the time of filing of the petition.
6. All petitions shall specify the approvals requested. Any items, including proposed waivers of the standards set forth in this Ordinance, even if indicated on the proposed plans, shall not be considered a part of the request presented to the *Plan Commission* for its consideration unless such waivers are specified in the petition.
7. Each petition filed in proper form pursuant to the guidelines established by the Department of Planning and Zoning shall, within thirty (30) days of filing, be numbered and docketed by the *Director* for an review by the *Technical Advisory Committee* and for initial hearing by the *Plan Commission*.
8. After review and comment is received from the members of the *Technical Advisory Committee*, *Director* shall inform the *Subdivider* of the review comments. The *Subdivider* shall make revisions to the *Primary Plat*, as appropriate, and resubmit twelve (12) folded copies of the *Primary Plat* to the *Director* not less than fourteen (14) days prior to the date of the *Plan Commission* hearing.
9. Standards for Approval

Primary Plats shall only be approved by the *Plan Commission* upon determination that the *Primary Plat* is in full compliance with all terms and provisions of this Ordinance, the Plainfield Zoning Ordinance and that:
 - a. adequate provisions have been made for regulation of minimum *Lot Width*, minimum *Lot Depth* and minimum *Lot Area*;
 - b. adequate provisions have been made for the widths, *Grades*, curves and coordination of *Subdivision* public ways with current and planned public ways; and,

- c. adequate provisions have been made for the extension of water, sewer, and other municipal services.

10. Conditions of Approval

The *Plan Commission* may specify reasonable conditions on the approval of a *Primary Plat* related to the following:

- a. The manner in which public ways shall be laid out, graded and improved. The *Plan Commission* may determine the need for additional *Street Rights-of-Way* and *Improvements* based upon existing plans, reports or studies undertaken by the *Plan Commission*, or other county, state or federal agency's reports or studies. The *Plan Commission* may require additional studies to be done by the *Subdivider* or other professional consulting firms to determine the need for additional *Street Rights-of-Way* and *Improvements* as a result of the proposed development and its impact on the surrounding areas.
- b. A provision for water, sewage and other utility services.
- c. A provision for *Lot* size, number and location.
- d. A provision for drainage design.
- e. A provision for other services specified in this Ordinance.

C. Filing for Secondary Plat Approval

The *Secondary Plat* submitted for approval must: (i) conform to the *Primary Plat* in terms of design and conditions of approval imposed on the *Primary Plat* by the *Plan Commission*; (ii) be in a form approved for recording by the Hendricks County Recorder; and, (iii) include the all information specified below for *Secondary Plats*.

Authority is hereby delegated to the Director to administratively grant final approval of a *Secondary Plat* in accordance with the criteria set forth in this Ordinance.

D. Special Provisions for Non-Residential Incremental Subdivisions

The *Secondary Plat* approval process for *Non-Residential Incremental Subdivisions* is intended to provide for the phased approval of non-residential *Lots* of a size and configuration required to serve the needs of development while safeguarding the needs and interests of the public for proper infrastructure design and installation. Any *Non-Residential Incremental Subdivision* electing to not utilize this incremental *Secondary Plat* approval process set forth herein shall be required to follow the full *Primary* and *Secondary Plat* approval process outlined above.

1. Incremental Approval Process.

Any *Subdivider* who proposes to utilize the incremental approval process shall indicate the intention to utilize the incremental approval process at the pre-filing conference for *Conceptual Plat Review* with *Staff* as required below.

Any *Subdivision* for non-residential land uses may be divided into two (2) or more increments or phases for the purpose of *Secondary Plat* approval. In connection with a *Primary Plat* approval intending to utilize the incremental approval, the *Plan Commission* shall condition its *Primary Plat* approval upon the following requirements:

- a. All *Lots* created by an incremental *Secondary Plat* shall have either: (i) direct *Access* to and from a *Public Street*; or (ii) gain *Access* to and from a *Public Street* across a perpetual recorded *Access* easement through portions of the real estate included in the *Primary Plat*.
- b. All *Lots* created by an incremental *Secondary Plat* shall either contain within the limits of the incremental *Secondary Plat* or have legal access to adequate infrastructure to accommodate the fully developed needs of the *Incremental Plat* (i.e., storm water management, sanitary sewer, water, electric, gas, telephone, etc.).

The *Plan Commission* may impose any other reasonable conditions on the *Primary Plat* approval of a *Non-Residential Incremental Subdivision* deemed necessary to assure the orderly development of the *Non-Residential Incremental Subdivision*. Such reasonable conditions may include the completion of, or posting a bond or other surety in lieu thereof for, *Improvements* necessary to support each incremental *Secondary Plat* but which *Improvements* may not be located within the bounds of the proposed incremental *Secondary Plat*.

2. Improvements in Incremental Secondary Plats.

Each incremental *Secondary Plat* shall be considered a separate *Secondary Plat* and the recording of easements, dedication of *Rights-of-Way*, infrastructure *Improvements* or other required *Improvements* proposed in the remaining sections of the *Primary Plat* may be deferred by the *Subdivider* and completed in connection with the appropriate future incremental *Secondary Plat*, provided, however, the recording of easements, dedication of *Rights-of-Way*, construction of infrastructure *Improvements* or other required *Improvements* proposed in the *Primary Plat* which are determined by the *Plan Commission* as required to protect the public health, safety and welfare may be required prior to approval of the proposed *Incremental Secondary Plat*.

3. Filing Requirements for Non-Residential Primary Plats Proposing to Utilize an Incremental Secondary Plat Approval Process.

Any *Subdivider* who proposes to utilize the incremental *Secondary Plat* approval process shall indicate the intention to utilize the incremental *Secondary Plat* approval process at the pre-filing conference for *Conceptual Plat Review* and on the application for a *Non-Residential Primary Plat*.

4. Review Procedures for Non-Residential Primary Plats Proposing Incremental Secondary Plat Approval.

The *Subdivider* shall submit a *Sketch Plan* for the proposed *Non-Residential Subdivision* for *Conceptual Plat Review* by the *Staff* at a pre-filing conference prior to filing a petition for *Primary Plat* approval with the *Plan Commission*.

Staff shall review the *Sketch Plan* and shall notify the *Subdivider* of any comments related to the design or contents of the *Sketch Plan* within ten (10) *Business Days* of the submittal for *Conceptual Plat Review*.

Notwithstanding anything contained in this Ordinance to the contrary, neither the *Staff's Conceptual Plat Review* of the *Sketch Plan* submitted at a pre-filing conference nor *Staff's* comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed *Primary Plat*.

Petitioner may modify the *Sketch Plan* and file a petition for *Primary Plat* approval after the expiration of the ten (10) *Business Day* period referred to above.

5. Incremental Secondary Plat Approval.

Incremental Secondary Plat Approval is hereby delegated to the *Director*, provided that any and all conditions imposed by the *Plan Commission* on the *Primary Plat* have been fully complied with by the *Subdivider*.

E. Recording and Filing of Recorded Secondary Plat

All *Subdivisions* shall follow one of the following procedures in the recording and filing of recorded *Secondary Plats* with the Department of Planning and Zoning.

1. Completion of Improvements Prior to Recording

After: (i) completion of all required *Improvements*, installations or *Lot Improvements* within a *Subdivision* pursuant to approved construction plans; (ii) the submission of “as built” construction plans; (iii) the inspection and acceptance of all *Improvements*, installations or *Lot Improvements* by the Town of Plainfield; and, (iv) the posting of a *Maintenance Bond* for all *Improvements*, installations or *Lot Improvements*, the President and *Secretary* of the *Plan Commission* shall sign and certify the *Secondary Plat* of a *Subdivision* which shall then be recorded in the Office of the Recorder of Hendricks County within thirty (30) days of signing. One (1) mylar copy of the recorded *Secondary Plat* and four (4) blue-line copies of the recorded *Secondary Plat* shall be filed with the *Director* within five (5) business days of recording.

2. Surety for Improvements Prior to Recording

After the posting of surety for required *Improvements*, installations or *Lot Improvements* which is acceptable to the *Plan Commission*, the President and *Secretary* of the *Plan Commission* shall sign the *Secondary Plat* of a *Subdivision* which shall be recorded in the Office of the Recorder of Hendricks County within thirty (30) days of signing. One (1) mylar copy of the recorded *Secondary Plat* and four (4) blue-line copies of the recorded *Secondary Plat* shall be filed with the *Director* within five (5) business days of recording.

F. Special Provisions for the Amendment of a *Secondary Plat*.

An administrative procedure is hereby established for the approval of an amendment to a recorded *Secondary Plat* to address minor corrections or adjustments to a recorded *Secondary Plat* where such corrections or adjustments are consistent with the intent, terms and conditions of the original *Primary Plan* as approved by the *Plan Commission*.

1. Approval of an Amendment to a *Secondary Plat*.

Approval of a minor amendment to a *Secondary Plat* is hereby delegated to the *Director*, provided that:

- a. Any and all conditions imposed by the *Plan Commission* on the *Primary Plat* have been fully complied with by the *Subdivider*;
- b. The nature of the minor amendment is consistent with the Determination of Minor Amendments set forth below.

2. Procedures.

Amendments authorized by this Article 2.1, F., shall be filed in the same manner as a *Secondary Plat*, including but not limited to:

- a. *Secondary Plat* application;
- b. Filing fees; and
- c. Consent of all owners of the land included in the proposed amendment.

3. Determination of Minor Amendments:

The following corrections and adjustments to a *Secondary Plat* shall be considered minor amendments and may be approved through the use of the special provisions of this Article 2.1, F.:

- a. Correction of a typographical error in a legal description.
- b. Correction of a bearing, distance or curve data, provided such correction does not alter the location or boundary of any *Lot* or easement.
- c. Correction of a misspelling.
- d. Correction of an incorrect or missing signature(s).
- e. Correction or change of an address assigned to a *Lot*.
- f. Correction or change of an assigned *Street* name.
- g. Addition, deletion or modification of a note on a *Secondary Plat* that does not affect the use or enjoyment of a *Lot*.
- h. The addition, deletion or modification of the delineation of a feature (e.g., notations regarding areas subject to the National Flood Insurance Program).
- i. The name of a recorded *Subdivision*.
- j. Modification of the function of an easement to increase the use of the easement (e.g., change of a "Sewer Easement" to a general "Drainage & Utility Easement").

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- k. The combination of two (2) or more *Lots* to create one (1) or more *Lots* that are all larger than the original *Lots* being joined.
- l. The enlargement of a recorded *Non-Residential Incremental Lot* to include abutting land which was part of the applicable *Primary Plat* but which abutting land has not yet been included in a recorded *Secondary Plat*.
- m. The division of one or more *Non-Residential Incremental Lots* into two or more *Non-Residential Incremental Lots* in compliance with the terms and conditions of:
 - n. the applicable *Primary Plat*;
 - o. the terms and condition of the applicable *District*; and
 - p. the provisions of Article 2.1, D. – Special Provisions for Non-Residential Incremental Subdivisions of this Ordinance.

4. Scope of Minor Amendments.

Minor amendments to a recorded *Secondary Plat* may apply to an entire recorded *Secondary Plat* or only that portion of a recorded *Secondary Plat* which is impacted by the amendment.

5. Limitations on Amendments.

The provisions of this Article 2.1, F., shall not be applicable to any of the following changes to a recorded *Secondary Plat*:

- a. The vacation of a *Plat* or portion of a *Plat*, including *Plat* covenants required by the *Plan Commission*.
- b. The vacation of a public place
- c. The vacation of a platted easement.
- d. The vacation of a public way or platted *Right-of-Way*.
- e. The vacation of any public lands or public places.

6. Duration of Approval.

The applicant shall record an amendment of a *Secondary Plat* within sixty (60) days of approval. If the amended *Secondary Plat* is not recorded with the prescribed period, the approval shall be considered null and void.