

**PLAINFIELD TOWN COUNCIL**

**ORDINANCE NO. 40-2006**

**AN ORDINANCE TO AMEND**  
**THE PLAINFIELD SUBDIVISION CONTROL 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 subdivision control 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 Subdivision Control 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 Subdivision Control Ordinance**

That the Plainfield Zoning Ordinance, Ordinance No. 22-97, 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**

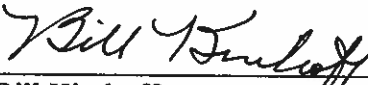
This Ordinance shall be effective within the incorporated areas of the Town of Plainfield, Hendricks County, Indiana upon its adoption by the Town Council of the Town of Plainfield, as provided in I.C. 36-7-4.


Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this 9<sup>th</sup> day of October, 2006

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

  
Robin G. Brandgard, President

  
Kent McPhail

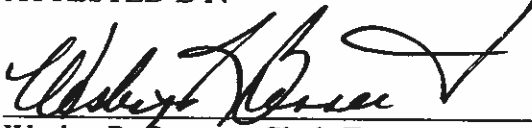
  
Bill Kirchoff

  
Daniel W. Fivecoat

Edmund L. Gaddie Jr.

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:**  
Hendricks County Flyer OCT 12 2006  
Hendricks County Flyer ~~OCT 19 2006~~

**A PROPOSAL TO AMEND THE  
TOWN OF PLAINFIELD  
SUBDIVISION CONTROL ORDINANCE**

I. Amend Article 2.1 regarding filing deadlines for Primary Plats by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

2. Petitions for *Primary Plat* approval shall be filed with the Department of Planning and Zoning no later than ~~3:00 p.m.~~ 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	<del>45-37</del> 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.

II. Amend Article 2.1 by adding a new Article 2.1, F., regarding provision for the amendment of a Secondary Plat by inserting the double underscored text as follows:

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*.

I. 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").

## Plainfield Subdivision Control Ordinance

- 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:
  - (1) the applicable *Primary Plat*;
  - (2) the terms and condition of the applicable *District*; and
  - (3) 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, c., 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.

III. Amend Article 2.2 by adding a new Article 2.2, I. regarding Amended Secondary Plats by inserting the double underscored text as follows:

I. Plans for Amended Secondary Approval of Subdivisions.

All plan sheets submitted as part of an Amended *Secondary Plat* application shall, in addition to the items specified above for *Secondary Plat* approval, include the following information:

1. The name of the *Subdivision* shall begin with the words "Amended *Secondary Plat* for \_\_\_\_\_ (include section number, if applicable).
2. A note shall be added to each page which identifies or describes the nature of the amendment.

IV. Amend Article 3.3, B., 4. regarding secondary means of access by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

4. Secondary Means of Access.

a. *Secondary Access to a Subdivision* – Any Major Residential Subdivision which contains thirty (30) or more Lots shall:

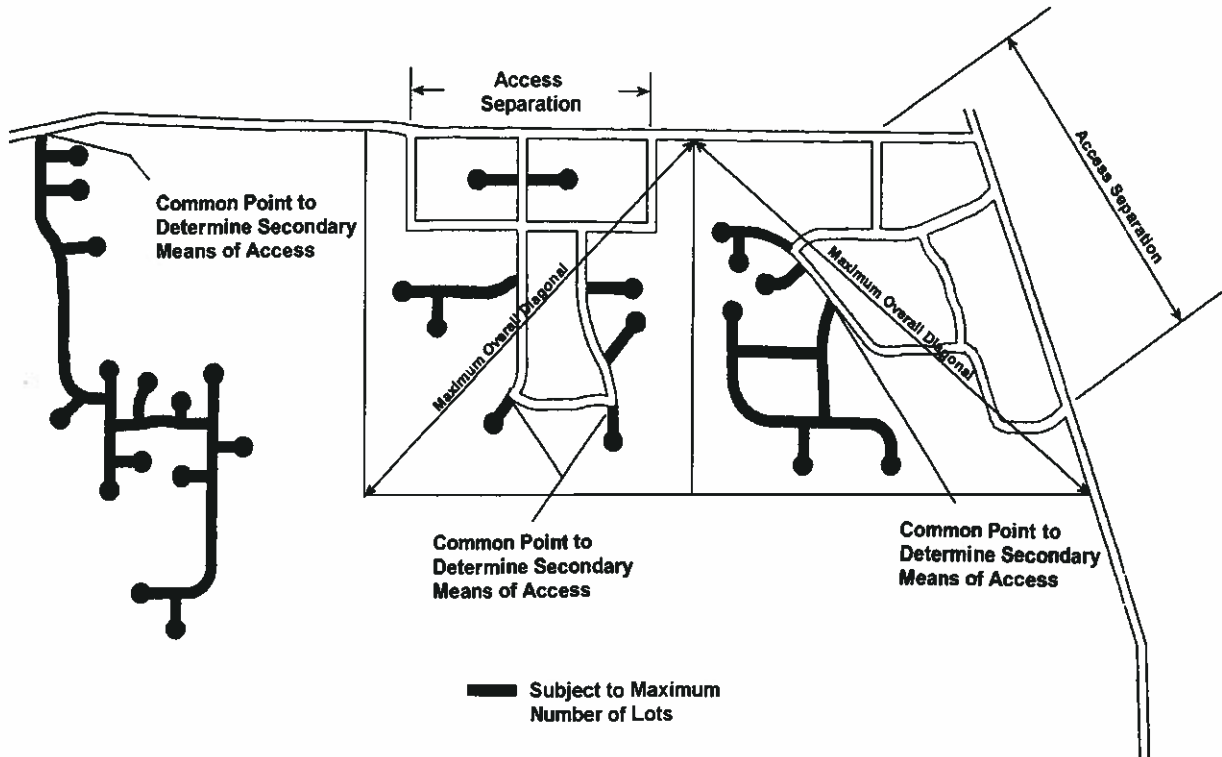
(1) ~~(i)~~ provide a secondary means of Access ~~to from~~ an improved perimeter *Public Street*; or

(1) ~~(ii)~~ provide a divided *Local Collector Street* as the means of Access ~~to from~~ an improved perimeter *Public Street*

back to a point of intersection with an internal *Street* network where all *Lots* can be Accessed by more than one (1) direction.



SECONDARY MEANS OF ACCESS



b. Secondary Access within a Subdivision – Within a Major Residential Subdivision, no portion of the Subdivision shall include more than thirty (30) Lots which cannot be Accessed from more than one (1) direction.

c. Remote Secondary Access – Any Major Residential Subdivision which contains sixty (60) or more Lots shall provide a remote secondary means of Access which complies with the Town of Plainfield Access Control Ordinance and is separated from at least one (1) other Access point into the Subdivision by a distance apart equal to not less than one-half (1/2) of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between Access points.

d. Exception – 'n pny Major Residential Subdivision where all Dwelling Units within the Subdivision are served by a residential sprinkler system in compliance with either:

B) N° PA 13 Pstandard for the Installation of Pprinkler Systems,

E2) N° PA 13D Pstandard for the Installation of Pprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes, or,

B) N° PA 13° Pstandard for the Installation of Pprinkler Systems in ° esidential Occupancies up to and Including ° our Ptries in ° eight,

the maximum number of Lots which may be developed without being required to provide a remote secondary means of Access shall be increased to one-hundred and twenty E20) Lots,

e. Design of ° emote Pecondary Access – A rep ote secondary means of Access may be designed as:

B) a dedicated Public Street; or,

E2) a gated or un-gated emergency vehicle Access easement providing direct Access to an improved perimeter Public Street or connecting to a Public Street in an abutting Subdivision which provides Access to an improved perimeter Public Street.

If a remote secondary means of Access is provided by way of an emergency vehicle Access easement, such emergency vehicle Access easement shall be designed to comply with the requirements for a "° ire Apparatus Access ° oad", including having a minimum pavement width of twenty E20) feet and being constructed of a heavy duty pavement section of asphalt, concrete or other driving surface approved by the Town of Plainfield ° ire Marshall and capable of supporting an imposed load of fire apparatus weighing at least seventy-five thousand E75,000) pounds.