

**PLAINFIELD TOWN COUNCIL**

**ORDINANCE NO. 39-2006**

**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**

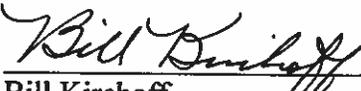
This Ordinance shall be effective within the incorporated areas of the Town of Plainfield, Hendricks County, Indiana upon its adoption by the Town Council of the Town of Plainfield, as provided in I.C. 36-7-4.

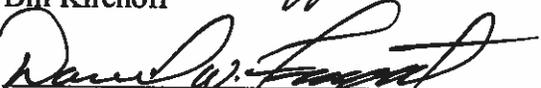
Passed and adopted by the Town Council of the Town of Plainfield, Indiana, on this 9<sup>th</sup> day of October, 2006

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

  
\_\_\_\_\_  
Robin G. Brandgard, President

  
\_\_\_\_\_  
Kent McPhail

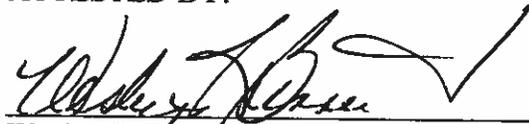
  
\_\_\_\_\_  
Bill Kirchoff

  
\_\_\_\_\_  
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  
ZONING ORDINANCE**

- I. Amend Article 2.3, A., 2., – R-2 Low Density Residential District regarding Special Exception uses by adding the double underscored text as follows:

Public Facilities  
Cemetery – without Crematory,  
Crematory, or Mortuary  
Community Center  
Public Park  
Religious Use

- II. Amend Article 2.3, B. – Development Standards regarding the effective dates for new development standards by adding the double underscored text as follows:

**B. Development Standards**

For all Lots in any Subdivision which were included in a Primary Plat that received approval prior to January 1, 2007, and which were included in an approved, recorded Secondary Plat within three (3) years of the date of Primary Plat approval, and if the Subdivision is developed in more than one (1) section, approval for each subsequent section shall be filed for within three (3) years of the approval of the prior section, the Development Standards set forth below shall be deemed to be modified to read as follows: the Minimum Lot Width shall be 80 feet, the Minimum Side Yard shall be 8 feet, and the Minimum Aggregate Side Yard shall be 20 feet.

For Lots in any Subdivision approved after the dates or not meeting the requirements for the approval of subsequent section as specified above, the Development Standards set forth below shall apply:

- III. Amend Article 2.4, B. – Development Standards regarding the effective dates for new development standards by adding the double underscored text as follows:

**C. Development Standards**

For all Lots in any Subdivision which were included in a Primary Plat that received approval prior to January 1, 2007, and which were included in an approved, recorded Secondary Plat within three (3) years of the date of Primary Plat approval, and if the Subdivision is developed in more than one (1) section,

approval for each subsequent section shall be filed for within three (3) years of the approval of the prior section, the *Development Standards* set forth below shall be deemed to be modified to read as follows: the *Minimum Lot Width* shall be 70', the *Minimum Side Yard* shall be 6 feet, and the *Minimum Aggregate Side Yard* shall be 15 feet.

For *Lots* in any *Subdivision* approved after the dates or not meeting the requirements for the approval of subsequent section as specified above, the *Development Standards* set forth below shall apply:

IV. Amend Article 2.9, B., 3., D, of the 15 – 1 neighborhood Retail Commercial District regarding use of Minimum Front Yards by inserting the double underscored text as follows:

a. Minimum *Front Yards* - may include *Driveways* and *Parking Areas* (provided that no portion of the *Parking Area* may be located closer to the *Right-of-Way* than the (10) feet; except for *Minimum Front Yards* abutting the *original* *original* *markway* or a *Frontage Street* parallel to the *original* *original* *markway*, where *Marking Areas* shall be prohibited) and shall be maintained as open space free from *Buildings* or *Structures* in compliance with the requirements for *Perimeter* *landscape* *Yards* as set forth in Article IV;

V. Amend Article 2.10, B., 3., D, of the 2' – 2 IIpe District regarding use of Minimum Front Yards by inserting the double underscored text as follows:

b. Minimum *Front Yards* - may include *Driveways* and *Parking Areas* (provided that no portion of the *Parking Area* may be located closer to the *Right-of-Way* than the (10) feet; except for *Minimum Front Yards* abutting the *original* *original* *markway* or a *Frontage Street* parallel to the *original* *original* *markway*, where *Marking Areas* shall be prohibited) and shall be maintained as open space free from *Buildings* or *Structures* in compliance with the requirements for *Perimeter* *landscape* *Yards* as set forth in Article IV;

- VI. Amend Article 2.11, A., 1., of the GC – General Commercial District regarding permitted primary uses inserting the double underscored text as follows:

Recreation  
Arcade  
Bait Sales  
Banquet hall  
Billiard room  
Bowling Alley  
Dancing, Aerobics, gymnastics,  
Cheerleading Studio  
Indoor Recreation  
Club or Private Club  
Night Club  
Skating rink (Ice and roller),  
indoor  
Social hall  
Tennis / Racquet Club, indoor  
Theater, Indoor  
Video Store

- VII. Amend Article 2.11, B., 3., D, of the GC – General Commercial District regarding use of Minimum Front Yards by inserting the double underscored text as follows:

- c. Minimum *Front Yards* - may include *Driveways* and *Parking Areas* (provided that no portion of the *Parking Area* may be located closer to the *Right-of-Way* than the (10) feet; except for Minimum Front Yards abutting the onald eagan Parkway or a Frontage Street parallel to the onald eagan Parkway, where Marking Areas shall be prohibited) and shall be maintained as open space free from *Buildings* or *Structures* in compliance with the requirements for perimeter landscape Yards as set forth in Article IV;

VIII. Amend Article 2.13, A., 2., a., of the I-2: Office / Warehouse Distribution District regarding permitted Special Exception Uses by inserting the double underscored text as follows:

Recreation  
Dancing, Aerobics, Gymnastics,  
Cheerleading Studio  
Indoor Recreation  
Skating Rink (Ice and Roller),  
indoor  
Stadium / Arena  
Tennis / Racquet Club, indoor

IX. Amend Article 3.5, B., 3., D, R1 We C- - Commercial - Industrial District regarding Use of Minimum Front Yards by inserting the double underscored text as follows:

- d. Minimum *Front Yards* - may include *Driveways* and *Parking Areas* (provided that no portion of the *Parking Area* may be located closer to the *Right-of-Way* than the (10) feet; except for *Minimum Front Yards* abutting the Ronald Reagan Parkway or a *Frontage Street* parallel to the Ronald Reagan Parkway, where *Marking Areas* shall be prohibited) and shall be maintained as open space free from *Buildings* or *Structures* in compliance with the requirements for *Perimeter Landscape Yards* as set forth in Article IV;

X. Amend Article 4.7 – Table 4.7-C – Plant Unit Values by inserting the double underscored text as follows:

<b>TABLE 4.7-C - PLANT UNIT VALUES</b>	
<b>Plant Categories (Minimum size at Time of Planting)</b>	<b>Plant Unit Value</b>
Deciduous Shade (1 verstory) Tree: 2 1/2" caliper 4" caliper	.75 1.00
Deciduous Ornamental (Understory) Tree: 1 1/2" caliper 2" caliper	.50 .75
<u>Multi-Stemmed Tree (8' high)</u>	<u>.50</u>
<u>Multi-Stemmed Tree (12' high)</u>	<u>.75</u>
Evergreen Tree (6' high) Evergreen Tree (12' high)	.50 .75
Evergreen Tree - Narrow Spread (4' high) Evergreen Tree - Broad Spread (6' high)	.25 .40
Edge Plant: <u>18" (foundation plantings only)</u> 24" <del>30"</del> high 36" high	<u>.025</u> .05 .10
Preservation of Existing Vegetation	See Article 4.T, I.
Concrete, Wall or Berm	See Article 4.T, C.

XI. Amend Article 4.7, F., 2. regarding Berms in the Front Yards of Industrial Districts by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

2. Berm Regulations.

a. Berm in a *Front Yard* or *Front Bufferyard*.

An undulating earthen berm, may be used in conjunction with required *Front Yard* or required front *Bufferyard* landscaping. Any berm used in a *Front Yard* shall have a maximum height not to exceed six (6) feet when located in a Residential *District* or Commercial *District*; or ~~ten-fifteen (1015)~~ feet when located in an Industrial *District*.

XII. Amend Article 4.7, J., 2. regarding Alternate Landscape Plan Approval by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

3. Allowed Alternative Landscape Plans – ~~Such Alternative Landscape plan~~ approval shall be limited to:

a. a redistribution of plant materials required for required *Yards* to other locations on the *Lot*;

b. a redistribution of foundation landscaping materials to required *Front Yards, Front Bufferyards, Side Yards, Side Bufferyards* or *Rear Bufferyards*;

~~e. the use of undersized hedge plants for up to 25% of the required foundation plantings (18"–24" high at the time of planting rather than 24" to 30" at the time of planting, subject to a *Plant Unit Value* for each undersized *Hedge Plant* of .025);~~

~~d.c.~~ allowing an alternative to the screening of *Parking Areas* provided that the total *Plant Unit Value* installed for such screening purposes shall equal or exceed the total *Plant Unit Value* required based upon the value of the required hedge row; or,

e.d. allowing the use of stone, gravel or similar non-vegetative ground cover in:

(1) foundation planting areas; or,

- (2) the first twelve (12) inches from back of curb in an interior parking lot landscape island.

XIII. Amend Article 4.9, B. 4., regarding Lighting Regulations by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

4. Lighting shall not cause illumination:

- a. beyond any Lot Line in a Commercial District, except for Lot Lines in common between Out Lots or Lot Lines in common between Out Lots and the main portion of an Integrated Center;
- b. beyond any Lot Line in an Industrial District, except for Lot Lines in common between two Industrial Lots which utilize the Development Incentive for the Use of Required Yards in Integrated Centers or Industrial Parks;
- c. beyond any Lot Line for a business located in a Residential District or an Agricultural District; or,
- d. onto any Right-of-Way, based upon the zoning District of the real estate on the opposite side of such Lot Line or Right-of-Way, in excess of:
  - (1) a. If Adjoining Commercial or Industrial Districts - two (2) foot candles.
  - (2) b. If Adjoining Residential Districts - one-half (0.5) foot candles.
  - (3) e. If Adjoining Agricultural Districts - one (1) foot candle.

XIV. Amend Article 5.4, B., 3., c., regarding Development Incentives for the Depth of Required Yards and Required Bufferyards by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

c. Findings.

The ~~Plan Commission~~ Director may approve such Depth of Yard and Required *Bufferyard* reduction upon a finding that:

XV. Amend Article 5,4, B., 5., c., regarding Development Incentives for the Use of Required Yards in Integrated Centers or Industrial Parks by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

c. Findings.

The ~~Plan Commission~~ Director may approve such use of required side and *Rear Yards* upon finding that:

XVI. Amend Article 5,4, B., 7., c., regarding Development Incentives for the Depth of Yards Along Private Streets in Integrated Centers or Industrial Parks by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

c. Findings.

The ~~Plan Commission~~ Director may approve such reduction of required *Front Yard* depth along *Private Streets* upon finding that:

XVII. Amend Article 5.5, C., 3., a. regarding finished façade orientation by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

a. New Construction, New *Primary Use Buildings* and Major *Building* Additions.

In order to create variation and interest in the built environment, all new construction, new *Primary Use Buildings* and major *Building* additions located along a *Gateway Corridor* or located within six-hundred (600) feet of a Residential *District* shall use the exterior *Building* materials specified below for each facade ~~oriented to a Gateway Corridor or oriented to any Street~~ if the *Lot* is located along a Gateway Corridor or within six-hundred (600) feet of a Residential *District*.

(1) Determination of Façade Orientation.

A façade shall be considered to be oriented toward a ~~Gateway Corridor, or oriented toward a Street~~ if the *Lot* is located along a Gateway Corridor or within six-hundred (600) feet of a Residential *District*, pursuant angle of the façade as set forth below:

XVIII. Amend Article 5.5, B., regarding Gateway Corridors by adding a paragraph #7 by inserting the double underscored text as follows read:

7. Metropolis Parkway from the eastern *Right-of-Way* of new S.R. 267 to the western *Right-of-Way* of Ronald Reagan Parkway.

XIX. Amend Article 5.5, C., 3., a., (2) (b) (ii) regarding Commercial building materials along a Gateway Corridor by inserting the double underscored text as follows:

- (ii) Any secondary *Building* material shall constitute a minimum of twenty (20) percent of the façade. Glass used as a curtain wall (above transom level) or a faux window may qualify as a secondary *Building* material. If EIFS is used as the primary *Building* material, the secondary *Building* material shall be brick, stone (limestone, granite, fieldstone, etc.) or architectural pre-cast (if the surface looks like brick or stone).

XX. Amend Article 5.5, C., 3., a., (2) regarding Commercial building materials along a Gateway Corridor by inserting the double underscored text as follows:

- (c) Exterior *Building* materials, whether as a primary *Building* material, a secondary *Building* material, or an accent material, shall not include vinyl or aluminum horizontal lap siding.

XXI. Amend Article 5.5, C., 3., c., regarding exterior building renovations along a Gateway Corridor by inserting the double underscored text as follows:

- c. Exterior *Building* Façade Renovations With No *Building* Additions or Minor *Building* Additions.

- (1) Exterior *Building* façade renovations which involve no *Building* additions or only minor *Building* additions shall demonstrate reasonable efforts to incrementally bring the exterior façade which is being renovated or added to into compliance with the provisions for new construction specified above. Full compliance with the provisions for new construction shall not be a requirement for approval.

(2) Exterior Building façade renovations shall not include the painting of brick, stone, architectural pre-cast or other natural exterior wall or siding products.

XXII. Amend Article 5.8, A., 1., b. regarding filing deadlines for Development Plans by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

- (2) Architectural and Site Design Review – All *Development Plan* petitions submitted for Architectural and Site Design Review only shall be filed at least thirty-seven (3037) days prior to the initial public hearing at which they are to be considered by the *Plan Commission*.
- (3) Development Incentives – All *Development Plan* petitions shall be filed at least forty-five/thirty-seven (4537) days prior to the initial public hearing at which they are to be considered by the *Plan Commission*.

XXIII. Amend Article 5.8, A., 1., h. (4) regarding where and when to file the required Affidavit of Notice for Development Plans by inserting the double underscored text as follows:

- (4) Affidavit of Notice.

Petitioner shall file an Affidavit of Notice with the Department of Planning and Zoning, in a form as specified by the Department of Planning and Zoning, indicating compliance with the above notice requirements not less than one (1) business day prior to the date of the public hearing. Copies of all "Receipt for Certified Mail" (white slips) and the originals of the "Domestic Return Receipts" (green cards) shall be filed with the Affidavit of Notice.

XXIV. Amend Article 5.8 by adding Article 5.8, c. regarding the duration of Development Plan Approvals by inserting the double underscored text as follows:

**F. Duration of Development Plan Approval.**

Any Development Plan Authorized By Article 5 – Development Plan Approvals shall be subject to the following duration provisions:

1. Any Development Plan which has been approved by the Plan Commission or the Director pursuant to this Article shall be valid for a

period not to exceed three (3) years from the date of approval of such Development Plan.

2. In the case of a Development Plan approved by the Plan Commission, a complete Improvement Location Permit application shall be filed with the Department of Planning and Zoning prior to the expiration of such three (3) year period and shall be subject to the provisions of Article 11.2 – Improvement Location Permits.

3. In the case of a Development Plan approved by the Director in the form of an Improvement Location Permit, notwithstanding the one (1) year duration specified in Article 11.2, B., 1., the duration of such Improvement Location Permit shall be three (3) years. All other provisions of Article 11.2 – Improvement Location Permits shall apply.

XXS . Amend Article 7.4, C. regarding reestanding Identification Pigns for l ut i ots in an Integrated Center by adding Article 7.4, C., 6. regarding signs for multiple l ut i ots by inserting the double underscored text as follows:

6. Ppecial <sup>o</sup> egulations for Out Lots located in any l D, N<sup>o</sup> or GC District t hich <sup>r</sup> tilize a Development Incentive for the <sup>r</sup> se of <sup>o</sup> equired Yards in an Integrated Center.

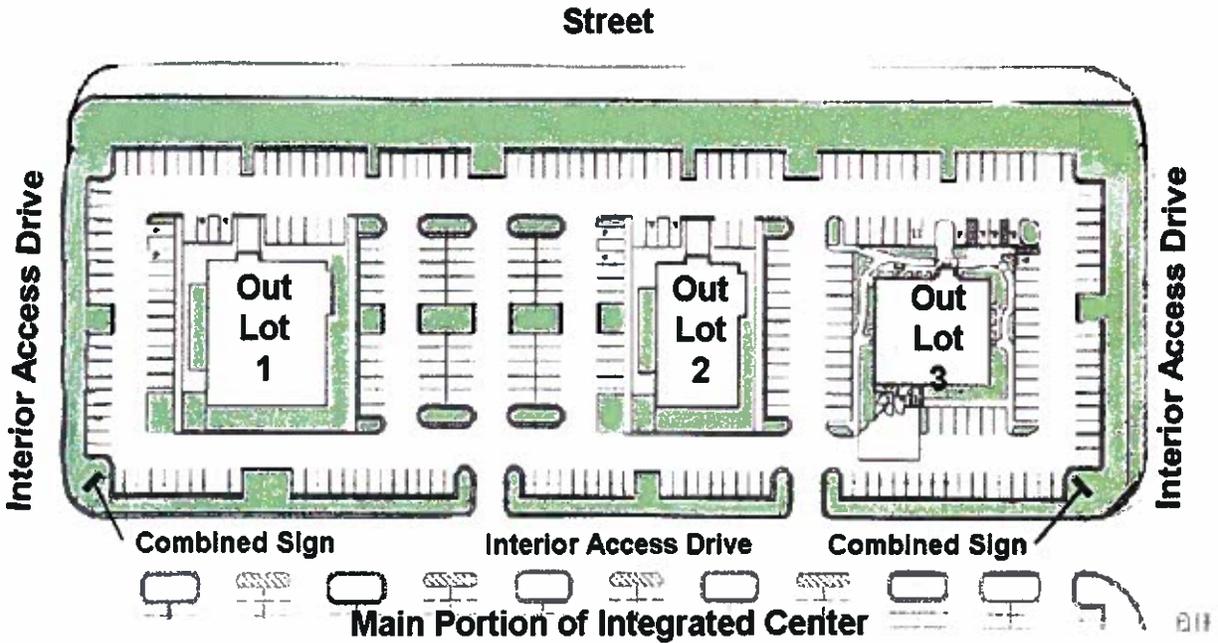
a. In order to minimize Sign proliferation, the Director may approve a combined Freestanding Identification Sign which may identify more than one (1) Out Lot located in the same Integrated Center and located in any l D, N<sup>o</sup> or GC District, without such combined Freestanding Identification Sign being considered an Off-Premise Sign, for one (1) or more individual Out Lots, provided:

(1) such Out Lots are contiguous with each other;

(2) such Out Lots are subject to an approved Development Incentive for the <sup>r</sup> se of <sup>o</sup> equired Yards in an Integrated Center;

(3) the Development Incentive has resulted in a design of such Out Lots involved which has reduced the number of Access locations to such Out Lots from either a Public Street or an Interior Access Drive and provides for shared circulation along the Lot Line in common between such Out Lots;

- (4) the Out Lots served by the combined Access would each be permitted their own On-Premise Freestanding Identification Signs under the terms of Article 7.4, C.;
- (5) combined Freestanding Identification Sign shall not exceed a frequency of: one (1) Sign for two (2) Out Lots served; two (2) Signs for three (3), four (4) or five (5) Out Lots; etc.); one (1) additional Sign for each two (2) additional Out Lots served;
- (6) no more than one (1) combined Freestanding Identification Sign shall be permitted on any one (1) Out Lot, regardless of orientation;
- (7) any Out Lot which is identified on such a combined Freestanding Identification Sign shall not be permitted a separate individual Freestanding Identification Sign; and,
- (8) documentary assurances are provided on the Secondary Plat or by other legally binding instrument which bind the adjoining Out Lots to be developed in compliance with the special provisions of this Article 7.4, C., 6. regarding Freestanding Identification Signs.



b. Any combined Freestanding Identification Sign authorized by the Director under the Special Regulations of this Article 7.4, C., 6, shall comply with the following regulations:

(1) Type of Sign.

Such combined Freestanding Identification Sign shall be limited to a Ground Sign.

(2) Maximum Height of Freestanding Identification Sign.

Notwithstanding anything contained in this Article 7.4, C., or in Article 13 of this Ordinance to the contrary, the maximum height of a combined Freestanding Ground Identification Sign shall be six (6) feet above Grade and may be increased by one (1) foot above Grade for each one (1) additional Out Lot identified on such Sign, to a maximum height of ten (10) feet above Grade.

(3) Maximum Sign Surface Area.

The maximum Sign Surface Area of a combined Freestanding Ground Identification Sign for such Out Lots shall not exceed:

(a) forty-eight (48) square feet; plus

(b) an additional twelve (12) square feet of Sign Surface Area for each additional Out Lot beyond one (1) which is identified on such combined Freestanding Ground Identification Sign.

(4) Minimum Front, Side and Rear Yard Setback for Freestanding Ground Identification Signs on Out Lots:

(a) Front Yard Setback - The minimum front Setback for any combined Freestanding Ground Identification Sign on an Out Lot shall be:

(i) Required Front Yard - ten (10) feet from Proposed Right-of-Way.

(ii) Required Front Bufferyard - twenty (20) feet from Proposed Right-of-Way.

(b) Side and Rear Yard Setback or Side and Rear Bufferyard - the same as that required for any Building or Structure in the applicable zoning District.

XXVI. Amend Article 13 by inserting the double underscored text and deleting the ~~strikeout text~~ as follows:

~~0 etrpsrliv3 Dkwy – From the eastern Right-of-Way of new S.R. 267 to the eastern corporate limits of the Town of Plainfield~~ western Right-of-Way of Ronald Reagan Parkway.