## Table of Contents

### Article 1: Ordinance Foundation

1.01 Title ................................................................................................................................................................1-2
1.02 Defined Words ...........................................................................................................................................1-2
1.03 Authority ..................................................................................................................................................1-2
1.04 Purpose ..................................................................................................................................................1-2
1.05 Applicability ............................................................................................................................................1-2
1.06 Severability ............................................................................................................................................1-3
1.07 Interpretation ..........................................................................................................................................1-3
1.08 Ordinance Jurisdictional Area .............................................................................................................1-3
1.09 Conflicting Regulatory Documents ..................................................................................................1-3
1.10 Actions Pending ..................................................................................................................................1-3
1.11 Repealer ................................................................................................................................................1-3
1.12 Transition Rules ..................................................................................................................................1-3
1.13 Administrative Officer ..........................................................................................................................1-4
1.14 Exemptions ..........................................................................................................................................1-4
1.15 Waivers ................................................................................................................................................1-4
1.16 Statutory Changes .................................................................................................................................1-5
1.17 References ..........................................................................................................................................1-5
1.18 Schedule of Fees ................................................................................................................................1-5
1.19 Plan Commission Certification ...........................................................................................................1-5
1.20 Subdivision Control Ordinance Adoption and Effective Date ...........................................................1-6

### Article 2: Subdivision Types

2.01 Standard Subdivision Intent ..................................................................................................................2-2
2.02 Standard Subdivision Prerequisites ......................................................................................................2-2
2.03 Standard Subdivision Intensity Incentives ..........................................................................................2-2
2.04 Standard Subdivision Standards .........................................................................................................2-3
2.05 Conservation Subdivision Intent .........................................................................................................2-4
2.06 Conservation Subdivision Prerequisites ............................................................................................2-4
2.07 Conservation Subdivision Intensity Incentives ..................................................................................2-4
2.08 Conservation Subdivision Standards ..................................................................................................2-5
2.09 Traditional Subdivision Intent .............................................................................................................2-6
2.10 Traditional Subdivision Prerequisites ...................................................................................................2-6
2.11 Traditional Subdivision Intensity Incentives .......................................................................................2-6
2.12 Traditional Subdivision Standards .......................................................................................................2-7
2.13 Townhouse Subdivision Intent .............................................................................................................2-8
2.14 Townhouse Subdivision Prerequisites ...............................................................................................2-8
2.15 Townhouse Subdivision Intensity Incentives ....................................................................................2-8
2.16 Townhouse Subdivision Standards ....................................................................................................2-9
2.17 Patio Home Subdivision Intent ...........................................................................................................2-10
2.18 Patio Home Subdivision Prerequisites ..................................................................................................2-10
2.19 Patio Home Subdivision Intensity Incentives ....................................................................................2-10
2.20 Patio Home Subdivision Standards .....................................................................................................2-11
2.21 Strip Commercial Subdivision Intent ..................................................................................................2-12
2.22 Strip Commercial Subdivision Prerequisites ......................................................................................2-12
2.23 Strip Commercial Subdivision Standards ..........................................................................................2-13
2.24 Commercial District Subdivision Intent .............................................................................................2-14
2.25 Commercial District Subdivision Prerequisites ................................................................................2-14
2.26 Commercial District Subdivision Intensity Incentives ..................................................................2-14
2.27 Commercial District Subdivision Standards ......................................................................................2-15
2.28 Industrial Park Subdivision Intent .......................................................................................................2-16
2.29 Industrial Park Subdivision Prerequisites ........................................................................................2-16
2.30 Industrial Park Subdivision Intensity Incentives ..............................................................................2-16
2.31 Industrial Park Subdivision Standards ................................................................................................2-17
### Article 3: Design Standards

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.01</td>
<td>Using This Section</td>
<td>3-2</td>
</tr>
<tr>
<td>3.02</td>
<td>Subdivision Type Key</td>
<td>3-3</td>
</tr>
<tr>
<td>3.03</td>
<td>AM-01: Amenity Center Standards</td>
<td>3-4</td>
</tr>
<tr>
<td>3.04</td>
<td>AR-01: Architectural Standards</td>
<td>3-8</td>
</tr>
<tr>
<td>3.05</td>
<td>DN-01: Development Name Standards</td>
<td>3-9</td>
</tr>
<tr>
<td>3.06</td>
<td>DD-01: Dedication of Public Improvement Standards</td>
<td>3-10</td>
</tr>
<tr>
<td>3.07</td>
<td>EA-01: Easement Standards</td>
<td>3-11</td>
</tr>
<tr>
<td>3.08</td>
<td>EF-01: Entryway Feature Standards</td>
<td>3-13</td>
</tr>
<tr>
<td>3.09</td>
<td>EC-01: Erosion Control Standards</td>
<td>3-14</td>
</tr>
<tr>
<td>3.10</td>
<td>FP-01: Floodplain Standards</td>
<td>3-15</td>
</tr>
<tr>
<td>3.11</td>
<td>IB-01: Intensity Bonus Standards - Low Incentive</td>
<td>3-16</td>
</tr>
<tr>
<td>3.12</td>
<td>IB-02: Intensity Bonus Standards - High Incentive</td>
<td>3-17</td>
</tr>
<tr>
<td>3.13</td>
<td>LT-01: Residential Lot Establishment Standards</td>
<td>3-19</td>
</tr>
<tr>
<td>3.14</td>
<td>LT-02: Non-residential Lot Establishment Standards</td>
<td>3-20</td>
</tr>
<tr>
<td>3.15</td>
<td>MM-01: Monument and Marker Standards</td>
<td>3-21</td>
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<tr>
<td>3.16</td>
<td>OP-01: Open Space Standards</td>
<td>3-22</td>
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<td>OA-01: Owners’ Association Standards</td>
<td>3-23</td>
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<td>3-25</td>
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<td>3.20</td>
<td>PD-01: Plat Document Standards</td>
<td>3-27</td>
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<td>PQ-01: Prerequisite Standards</td>
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<td>RC-01: Restrictive Covenant Standards</td>
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<td>SM-01: Storm Water Standards</td>
<td>3-33</td>
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<td>SA-01: Street and Access Standards; General</td>
<td>3-34</td>
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<td>3-38</td>
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<td>SA-06: Street and Access Standards; Non-residential</td>
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<td>SL-01: Street Lighting Standards</td>
<td>3-42</td>
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<td>SY-01: Surety Standards</td>
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<td>UT-01: Utility Standards</td>
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### Article 4: Processes, Permits, and Fees

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<thead>
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<th>Section</th>
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<tbody>
<tr>
<td>4.01</td>
<td>Applicable Processes</td>
<td>4-2</td>
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<td>4.02</td>
<td>Processes for Relief</td>
<td>4-2</td>
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<td>4.03</td>
<td>Major Subdivision of Land; Primary Plat</td>
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<td>Subdivision of Land; Administrative</td>
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<td>4.08</td>
<td>Improvement Location Permit; Site Work</td>
<td>4-21</td>
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<td>4.09</td>
<td>Improvement Location Permit; Structures</td>
<td>4-23</td>
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<td>4.10</td>
<td>Subdivision Waiver</td>
<td>4-24</td>
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### Article 5: Definitions

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<tr>
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<td>General</td>
<td>5-2</td>
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<td>Defined Words</td>
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### Appendix A: Engineering Standards
1.01 Title
This ordinance shall be formally known as the "Avon Subdivision Control Ordinance" and may be cited and referred to as the "Subdivision Control Ordinance."

1.02 Defined Words
Words used in a special sense in this Subdivision Control Ordinance are defined in Article 5: Definitions. If a term in this Subdivision Control Ordinance does not appear in Article 5: Definitions, but does appear in the Town of Avon Zoning Ordinance, then the definition in the Town of Avon Zoning Ordinance shall apply.

1.03 Authority
This Subdivision Control Ordinance is adopted by the Town of Avon pursuant to its authority under the laws of the State of Indiana, IC 36-7-4 et seq.

1.04 Purpose
This Subdivision Control Ordinance is intended to guide the growth and development of the Town of Avon in accordance with the goals, objectives, and strategies stated within the Town of Avon Comprehensive Plan and for the following purposes:
A. Health, Safety, and Welfare: Protect the health, safety, comfort, morals, convenience, and general welfare of the people at large.
B. Manage Growth: Provide guidance of future development in accordance with the Town of Avon Comprehensive Plan and applicable ordinances.
C. Establish Standards and Procedures: Establish reasonable standards and procedures for subdivisions and re-plats, in order to further the orderly layout and use of land.
D. Protect Social and Economic Stability: Protect the social and economic stability of all parts of the jurisdiction.
E. Encourage Development: Encourage orderly and beneficial development in all parts of the jurisdiction.
F. Promote Quality of Life: Promote adequate recreational opportunity and means for social interactively between neighbors.
G. Conserve Land Value: Protect and conserve the value of land, buildings, and other improvements to land.
H. Control Public Expenditures: Avoid scattered, illogical, and uncontrolled subdivisions of land that would result in the imposition of an excessive expenditure of public funds for the distribution or supply of infrastructure and/or services.
I. Ensure Documentation: Ensure proper legal descriptions, legal recording, and monumenting of subdivided land.
J. Prevent Pollution: Prevent the pollution of air, water and soil.
K. Ensure Drainage: Ensure the provision of drainage facilities, safeguarding of the water table, and protection from flooding or causing increased risk of flooding.
L. Protect Natural Resources: Encourage the protection of natural resources in order to preserve the integrity, stability, natural beauty, topography, and the value of land.
M. Balance Land Uses: Plan for a balance between building sites, natural resources, open spaces, recreation, and public ways that is beneficial to the community as a whole, both current and in the future.
N. Direct Expenses: Cause the petitioner to bear the costs associated with the approval process, development process, and inspection process.

1.05 Applicability
A. Application: This Subdivision Control Ordinance and the standards established herein applies to:
   • subdivision of land,
   • subdivision replat,
   • plat vacation,
   • plat amendment,
   • combining of lots, and
   • property line adjustments,
   • planned unit developments,
   • development plans.
B. Compliance: Only after being in full compliance with all provisions of this Subdivision Control Ordinance having lawfully been issued, may a development proceed.
**C. Wastewater and Water Utilities:** Under no circumstances shall any reference to "utility" or "utilities" within the Avon Subdivision Control Ordinance apply to or supersede design and construction standards from (or installation of) a non-town of Avon water or wastewater utility. Specifically, this exemption separates design and construction, waiver, dedication of improvement, performance and maintenance surety, and easement standards from being applicable to a non-town of Avon water or wastewater utility. However, this exemption does not include Town of Avon design and construction standards for the location, spacing and type of fire hydrants or requirements for looping of water lines used to supply hydrants. The exemption also does not pertain to the procedural requirement for coordinating all utilities and surface infrastructure within a subdivision or give rights to exclude the Town of Avon access to draft utility plans, documents or plans submitted for review to utility providers, identified or proposed design alternatives, correspondences between parties, or notes on design decisions; nor does it preclude a representative from the Town of Avon from being notified of and in attendance at meetings between the developer (and his/her representatives) and the utility provider (and its representatives).

**1.06 Severability**
If any provision or the application of any provision of this Subdivision Control Ordinance is held unconstitutional or invalid by the courts, the remainder of this Subdivision Control Ordinance or the application of such provision to other circumstances shall not be affected.

**1.07 Interpretation**
The provisions of this Subdivision Control Ordinance are the minimum requirements necessary for the protection of the health, safety, comfort, morals, convenience, and general welfare of the people at large. The provisions are also designed to establish and maintain reasonable community standards for the physical environment. If two (2) or more provisions within this Subdivision Control Ordinance are in conflict or are inconsistent with one another, then the provision which is most restrictive shall control.

**1.08 Ordinance Jurisdictional Area**
This Subdivision Control Ordinance applies to all land within the town limits of Avon, Indiana.

**1.09 Conflicting Regulatory Documents**
When this Subdivision Control Ordinance conflicts with private covenants, private contracts, commitments, permits, agreements, state laws, federal laws or other regulations that apply to a right of way, lot establishment, common area, utilities, drainage, easements, structures and the like, the most restrictive provision shall control. However, this provision shall not be construed to apply to a non-town of Avon wastewater or stormwater utility.

**1.10 Actions Pending**
This Subdivision Control Ordinance shall not be construed as eliminating or reducing any action now pending under, or by virtue of, an existing law or previous Subdivision Control Ordinance. Also, this Subdivision Control Ordinance shall not be construed as discontinuing, reducing, modifying, or altering any penalty accruing or about to accrue.

**1.11 Repealer**
The *Town of Avon Subdivision Control Ordinance* of July 18, 1996, Resolution #1996-3 as amended is hereby repealed and replaced by this Subdivision Control Ordinance.

**1.12 Transition Rules**
A. **Applications:** Any application (e.g. Primary Plat, Final Plat, or Plat Amendment) filed with the Plan Commission that is full and complete prior to the effective date of this Subdivision Control Ordinance shall be regulated by the terms and conditions of the Subdivision Control Ordinance that was in place at the time of filing.

B. **Final Plat:** Any final which was approved prior to the effective date of this Subdivision Control Ordinance may complete all aspects of that subdivision as was approved. However, any public improvements that are not completed after seven (7) years shall be required to meet the standards for such under this Subdivision Control Ordinance.

C. **Primary Plat:** Any primary plat which was approved prior to the effective date of this Subdivision Control Ordinance may pursue final approval under the subdivision regulations in effect at the time of the primary plat approval, or under this Subdivision Control Ordinance, so long as it is fully utilizing one ordinance or the other (i.e. "whole cloth" application). However, any primary plat, or phase thereof, that does not seek final approval after seven (7) years from the application date shall be regulated under this Subdivision Control Ordinance.
1.13 **Administrative Officer**

The Zoning Administrator shall have the primary responsibility for administration and enforcement (or coordination of enforcement) of this Subdivision Control Ordinance within the Town of Avon’s planning jurisdiction.

1.14 **Exemptions**

The following actions are exempt from the regulations of the Subdivision Control Ordinance. All exempt subdivisions shall still be recorded at the office of the Hendricks County Recorder.

A. **Corrections**: A modification to lot lines to correct errors in an existing legal description, provided that no additional building sites are created by the modification.

B. **Rights-of-Way**: A division of land resulting from right-of-way acquisition for a federal, state, or local project.

C. **Transfers**: A division of land for the transfer of a tract or tracts between adjoining lots provided that no additional building sites are created by the division.

D. **Utility Easement**: Transfer of land to a utility service provider or transfer through a recorded plat for buried utility lines.

1.15 **Waivers**

A. **Justification**: When the Plan Commission finds that a better design is achieved, and the intent of these regulations may be served to a greater extent by an alternative proposal, it may approve a waiver from standards set forth in the Subdivision Control Ordinance so that the public interest is served, and provided that such waiver does not lessen the intent and purpose of the Subdivision Control Ordinance.

B. **Authority**: The Plan Commission has sole authority to grant waivers to the Subdivision Control Ordinance.

C. **Findings**: The Plan Commission shall not approve waivers unless it makes written findings based upon the evidence presented to it in each specific case such that:

1. **Public Safety**: The granting of the waiver will not be detrimental to the public health, safety, or general welfare, or be injurious to adjacent or nearby property;

2. **Subdivision Control Ordinance**: The granting of the waiver will not contradict the intent of design standards within or the purpose of the Town of Avon Subdivision Control Ordinance;

3. **Unique Conditions**: The conditions upon which the request for waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other properties;

4. **Physical Characteristics**: Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out. A hardship is distinguished from a mere inconvenience; and

5. **Comprehensive Plan and Zoning Ordinance**: The granting of the waiver will not contradict the intent of the regulations in the Town of Avon Zoning Ordinance or the goals and objectives in the Town of Avon Comprehensive Plan.

D. **Procedure**: The procedure for requesting a waiver is as follows:

1. **Statement of Request**: At the time of filing a subdivision plat, the petitioner shall submit a detailed written statement of any waivers of the Subdivision Control Ordinance being requested which shall fully state the grounds for the request and file detailed written findings of fact in support of such waiver request.

2. **Limitations**: Only design standards specifically identified in the request may be waived by the Plan Commission.

3. **Public Hearing**: Waivers may only be granted during a process which requires a public hearing.
1.16 **Statutory Changes**

Whenever Indiana Code cited in this Subdivision Control Ordinance has been amended or superseded, this Subdivision Control Ordinance shall be deemed amended in reference to the new or revised code.

1.17 **References**

Whenever any agency, department, position, document, map, or publication referenced in this Subdivision Control Ordinance changes, the new or substitute agency, department, position, document, map, or publication shall be deemed incorporated into this Subdivision Control Ordinance.

1.18 **Schedule of Fees**

The Avon Town Council shall maintain an official fees schedule for all processes and appeals enabled by this Subdivision Control Ordinance (e.g. plat approvals, plat amendments and waivers). The official fees schedule shall be available to the public in the office of the Clerk-Treasurer and the Avon Town Manager. Until all applicable fees have been paid in full, no final action shall be taken on any approval, appeal, or petition.

1.19 **Plan Commission Certification**

This Subdivision Control Ordinance was certified with a favorable recommendation for adoption on ________________, by the Avon Plan Commission after holding a legally announced public hearing. The certification was made by the following Plan Commission vote:

Signatures:
The Advisory Plan Commission of the Town of Avon, Hendricks County, Indiana

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______________________________ Marcus Turner, President
______________________________ Steve Eisenbarth, Vice President
______________________________ Robert Aiello, Member
______________________________ Jason Flint, Member
______________________________ Nikki Gordy, Member
______________________________ Paul Guckenberger, Member
______________________________ James Petrides, Member

Attest:

____________________________________ Date: _________________
Al Salzman, AICP Plan Commission Secretary, Avon, Indiana

Form and content approved by: Dan Taylor - Town of Avon’s Attorney
1.20 Subdivision Control Ordinance Adoption and Effective Date

The *Town of Avon Subdivision Control Ordinance* was adopted by the Town Council of the Town of Avon, Indiana on _______________. The Subdivision Control Ordinance shall become effective thirty (30) calendar days after its passage by the Avon Town Council.

Signatures:
The Town Council of the Town of Avon, Hendricks County, Indiana

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<tr>
<td>Mike Rogers, President</td>
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<td>Beverley Austin, Vice President</td>
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<td>Nikki Gordy, Member</td>
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<td>Dave Jackson, Member</td>
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<td>Greg Zuzan, Member</td>
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Attest:

Sharon Howell, Clerk-Treasurer, Town of Avon, Indiana

Form and content approved by: Dan Taylor - Town of Avon's Attorney
## 2.01 Standard Subdivision Intent

The Standard Subdivision type is intended to provide a development option with the following features:

**Land Use**
- 100% residential

**Applicability**
- Residential subdivisions of all sizes that may or may not require new streets

**Pedestrian Network**
- Safe and efficient pedestrian circulation within the subdivision
- Safe and efficient pedestrian accessibility to perimeter streets and adjacent development

**Vehicular Network**
- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Large radius curves
- Minimum 10% straight segments

**Site Feature Preservation**
- Strive to save existing quality tree stands
- Preserve land features and areas with steep slopes

**Incentives**
- Intensity bonus for anti-monotony design

## 2.02 Standard Subdivision Prerequisites

**Base Zoning**
- E-1, R-1, R-2, R-3, INST

**Minimum Parent Tract:**
- No minimum

**Maximum Parent Tract:**
- No maximum

## 2.03 Standard Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in *Chapter 8: Residential Districts*, in the *Town of Avon Zoning Ordinance* when a subdivision is designed and implemented utilizing incentives in *Section 3.11: Intensity Bonus Standards - Low* or *Section 3.12: Intensity Bonus Standards - High*. Only the zoning districts shown in the table below are eligible for an intensity bonus.

### Intensity Bonus for Compliance with Incentive Standards

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<th>E-1 (High)</th>
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<th>R-1 (High)</th>
<th>R-1 (Low)</th>
<th>R-2 (High)</th>
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<td>no change</td>
</tr>
<tr>
<td>Other Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Max. Lot Coverage</td>
<td>30%</td>
<td>30%</td>
<td>40%</td>
<td>37%</td>
<td>40%</td>
<td>38%</td>
<td>45%</td>
<td>43%</td>
</tr>
<tr>
<td>Min. Dwelling Unit Size</td>
<td>2,100 sq ft</td>
<td>2,100 sq ft</td>
<td>1,850 sq ft</td>
<td>1,850 sq ft</td>
<td>1,400 sq ft</td>
<td>1,400 sq ft</td>
<td>950 sq ft</td>
<td>955 sq ft</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>1.3 du/acre</td>
<td>no change</td>
<td>2.1 du/acre</td>
<td>no change</td>
<td>3 du/acre</td>
<td>no change</td>
<td>3 du/acre</td>
<td>no change</td>
</tr>
</tbody>
</table>
2.04 Standard Subdivision Standards

Required Open Space
• 15%

Minimum Perimeter Landscaping
• 25 feet along perimeter streets
• 10 feet along all other perimeters
• 0 feet if abutting an ST, CV, or PH subdivision

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Minimum Cul-de-sac Length
• See Appendix A

Maximum Cul-de-sac Length
• See Appendix A

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Rolled or vertical curb required

Minimum Tree Plot Width
• 5 feet

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan

Additional Design Standards that Apply

<table>
<thead>
<tr>
<th>Feature</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amenity Center (AM)</td>
<td>AM-01</td>
</tr>
<tr>
<td>Architectural (AR)</td>
<td>AR-01</td>
</tr>
<tr>
<td>Development Name (DN)</td>
<td>DN-01</td>
</tr>
<tr>
<td>Dedication of Public Improvement (DD)</td>
<td>DD-01</td>
</tr>
<tr>
<td>Easement (EA)</td>
<td>EA-01</td>
</tr>
<tr>
<td>Entryway Feature (EF)</td>
<td>EF-01</td>
</tr>
<tr>
<td>Erosion Control (EC)</td>
<td>EC-01</td>
</tr>
<tr>
<td>Floodplain (FP)</td>
<td>FP-01</td>
</tr>
<tr>
<td>Intensity Bonus (IB)</td>
<td>IB-01</td>
</tr>
<tr>
<td>Lot Establishment (LT)</td>
<td>LT-01</td>
</tr>
<tr>
<td>Monument and Marker (MM)</td>
<td>MM-01</td>
</tr>
<tr>
<td>Open Space (OP)</td>
<td>OP-01</td>
</tr>
<tr>
<td>Owners' Association (OA)</td>
<td>OA-01</td>
</tr>
<tr>
<td>Pedestrian Network (PN)</td>
<td>PN-01</td>
</tr>
<tr>
<td>Perimeter Landscaping (PL)</td>
<td>PL-01</td>
</tr>
<tr>
<td>Plat Document (PD)</td>
<td>PD-01</td>
</tr>
<tr>
<td>Prerequisite Standards (PQ)</td>
<td>PQ-01</td>
</tr>
<tr>
<td>Restrictive Covenant (RC)</td>
<td>RC-01</td>
</tr>
<tr>
<td>Storm Water Standards (SM)</td>
<td>SM-01</td>
</tr>
<tr>
<td>Street and Access (SA)</td>
<td>SA-01</td>
</tr>
<tr>
<td>Street Lighting (SL)</td>
<td>SL-01</td>
</tr>
<tr>
<td>Surety (SY)</td>
<td>UT-01</td>
</tr>
<tr>
<td>Utility Standards (UT)</td>
<td>UT-01</td>
</tr>
</tbody>
</table>
2.05 Conservation Subdivision Intent

The Conservation Subdivision type is intended to provide a development option with the following features:

**Land Use**
- 100% residential

**Applicability**
- Residential subdivisions with at least forty (40) lots and requiring new streets

**Pedestrian Network**
- Pedestrian circulation within the subdivision that is sensitive to the subdivision’s natural amenities
- Safe and efficient pedestrian accessibility to perimeter streets and adjacent development

**Vehicular Network**
- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Moderate use of cul-de-sacs
- Narrow streets without curb

**Site Feature Preservation**
- Preserve existing quality tree stands
- Preserve other existing natural amenities

2.06 Conservation Subdivision Prerequisites

<table>
<thead>
<tr>
<th>Base Zoning</th>
<th>E-1, R-1, R-2, R-3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Parent Tract</td>
<td>5 acres (217,800 square feet)</td>
</tr>
<tr>
<td>Maximum Parent Tract</td>
<td>No maximum</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Special Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>The parent tract shall have a natural amenity (e.g. tree stand, native prairie, or natural lake) covering at least 20% of the parent tract</td>
</tr>
<tr>
<td>If a sufficient natural amenity is not present, the developer may reforest or establish a native prairie on up to 5% of the parent tract to meet the 20% rule described above. A man-made lake shall not be considered toward the 20% rule</td>
</tr>
<tr>
<td>Subdivision shall facilitate clustered development that ensures the preservation of on-site natural amenities and significant common open space</td>
</tr>
</tbody>
</table>

2.07 Conservation Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in Chapter 8: Residential Districts, in the Town of Avon Zoning Ordinance when a subdivision is designed and implemented utilizing incentives in Section 3.11: Intensity Bonus Standards - Low or Section 3.12: Intensity Bonus Standards - High. Only the zoning districts shown in the table below are eligible for an intensity bonus.

<table>
<thead>
<tr>
<th>Intensity Bonus for Compliance with Incentive Standards</th>
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</thead>
<tbody>
<tr>
<td><strong>Zoning District</strong></td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>Min. Lot Area</td>
</tr>
<tr>
<td>Min. Average Lot Area</td>
</tr>
<tr>
<td>Min. Lot Width</td>
</tr>
<tr>
<td>Min. Front Setback</td>
</tr>
<tr>
<td>Min. Side Setback</td>
</tr>
<tr>
<td>Min. Rear Setback</td>
</tr>
<tr>
<td>Min. Building Separation</td>
</tr>
<tr>
<td>Max. Lot Coverage</td>
</tr>
<tr>
<td>Min. Dwelling Unit Size</td>
</tr>
<tr>
<td>Maximum Density</td>
</tr>
</tbody>
</table>
Additional Design Standards that Apply

<table>
<thead>
<tr>
<th>Amenity Center (AM)</th>
<th>Monument and Marker (MM)</th>
<th>Surety (SY)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• AM-01</td>
<td>• MM-01</td>
<td>• UT-01</td>
</tr>
<tr>
<td>Architectural (AR)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• AR-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development Name (DN)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• DN-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dedication of Public Improvement (DD)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• DJ-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Easement (EA)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• EA-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entryway Feature (EF)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• EF-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Erosion Control (EC)</td>
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<td></td>
</tr>
<tr>
<td>• EC-01</td>
<td></td>
<td></td>
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<tr>
<td>Floodplain (FP)</td>
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</tr>
<tr>
<td>• FP-01</td>
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<td></td>
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<tr>
<td>Intensity Bonus (IB)</td>
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<td></td>
</tr>
<tr>
<td>• IB-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• IB-02</td>
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<td></td>
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<tr>
<td>Lot Establishment (LT)</td>
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<td></td>
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<td>• LT-01</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Open Space (OP)</th>
<th>Owners' Association (OA)</th>
<th>Utility Standards (UT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• OP-01</td>
<td>• OA-01</td>
<td>• UT-01</td>
</tr>
<tr>
<td>Pedestrian Network (PN)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• PN-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perimeter Landscaping (PL)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• PL-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plat Document (PD)</td>
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<td></td>
</tr>
<tr>
<td>• PD-01</td>
<td></td>
<td></td>
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<tr>
<td>Prerequisite Standards (PQ)</td>
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<td></td>
</tr>
<tr>
<td>• PQ-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restrictive Covenant (RC)</td>
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<td></td>
</tr>
<tr>
<td>• RC-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm Water Standards (SM)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• SM-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Street and Access (SA)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• SA-01</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• SA-02</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• SA-05</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• SA-07</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility Standards (UT)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• UT-01</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2.09 Traditional Subdivision Intent

The Traditional Subdivision type is intended to provide a development option with the following features:

**Land Use**
- Mixed use, with majority being residential

**Applicability**
- Subdivisions containing fifty (50) or more lots, new streets, and alleys

**Pedestrian Network**
- Safe, efficient, and highly accessible pedestrian circulation within the subdivision
- Safe, efficient, and easy access to adjacent development and perimeter streets

**Vehicular Network**
- Creation of grid-like street and alley system that allows for maximum connectivity to adjacent neighborhoods and non-residential activity centers
- Frequent use of alleys and garage access via alleys
- Short blocks
- Small radius corners

**Site Feature Preservation**
- Strive to save existing quality tree stands

**Incentives**
- Intensity bonus and density bonus for traditional subdivision design

2.10 Traditional Subdivision Prerequisites

<table>
<thead>
<tr>
<th>Base Zoning</th>
<th>Special Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2, R-3, R-4</td>
<td>Subdivision shall be designed around pedestrian-scale streetscape featuring narrow street profiles, on-street parking, building forward orientation, short blocks, and decorative street lighting</td>
</tr>
<tr>
<td></td>
<td>Subdivision shall have boulevard streets at entrances or other key locations.</td>
</tr>
</tbody>
</table>

2.11 Traditional Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in Chapter 8: Residential Districts, in the Town of Avon Zoning Ordinance when a subdivision is designed and implemented utilizing incentives in Section 3.11: Intensity Bonus Standards - Low or Section 3.12: Intensity Bonus Standards - High. Only the zoning districts shown in the table below are eligible for an intensity bonus.

<table>
<thead>
<tr>
<th>Intensity Bonus for Compliance with Incentive Standards</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R-2 (High)</td>
</tr>
<tr>
<td>Lot Standards with Min. Lot Area</td>
<td>-</td>
</tr>
<tr>
<td>single-family</td>
<td>8,000 sq ft</td>
</tr>
<tr>
<td>townhouse</td>
<td>-</td>
</tr>
<tr>
<td>two-family</td>
<td>-</td>
</tr>
<tr>
<td>5 units or less</td>
<td>-</td>
</tr>
<tr>
<td>Min. Average Lot Area</td>
<td>12,000 sq ft</td>
</tr>
<tr>
<td>Min. Lot Width</td>
<td>70 ft</td>
</tr>
<tr>
<td>Min. Front Setback</td>
<td>20 ft</td>
</tr>
<tr>
<td>Min. Side Setback</td>
<td>5 ft</td>
</tr>
<tr>
<td>Min. Rear Setback</td>
<td>5 ft</td>
</tr>
<tr>
<td>Min. Building Separation</td>
<td>10 ft</td>
</tr>
<tr>
<td>Max. Lot Coverage</td>
<td>45%</td>
</tr>
<tr>
<td>Min. Dwelling Unit Size</td>
<td>1,400 sq ft</td>
</tr>
<tr>
<td>Maximum Density</td>
<td>5.0 du/acre</td>
</tr>
<tr>
<td>single-family</td>
<td>-</td>
</tr>
<tr>
<td>townhouse</td>
<td>-</td>
</tr>
<tr>
<td>two-family</td>
<td>-</td>
</tr>
<tr>
<td>5 units or less</td>
<td>-</td>
</tr>
</tbody>
</table>

- Greenspace in boulevard streets shall count toward minimum open space requirements.
2.12 Traditional Subdivision Standards

Required Open Space
• 10%

Minimum Perimeter Landscaping
• 25 feet along perimeter streets
• 10 feet along all other perimeters
• 0 feet if abutting a TD or a TN subdivision

Maximum Density
• 8 units per acre

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Average Block Length
• Between 300 and 500 feet

Cul-de-sac Length
• Cul-de-sacs are not permitted

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Vertical curb required

Minimum Tree Plot Width
• 5 feet in residential areas
• 0 feet in non-residential areas

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan

Required Open Space
• 10%

Minimum Perimeter Landscaping
• 25 feet along perimeter streets
• 10 feet along all other perimeters
• 0 feet if abutting a TD or a TN subdivision

Maximum Density
• 8 units per acre

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Average Block Length
• Between 300 and 500 feet

Cul-de-sac Length
• Cul-de-sacs are not permitted

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Vertical curb required

Minimum Tree Plot Width
• 5 feet in residential areas
• 0 feet in non-residential areas

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan

Additional Design Standards that Apply

- **Amenity Center (AM)**
  - AM-01 Page 3-4

- **Architectural (AR)**
  - AR-01 Page 3-8

- **Development Name (DN)**
  - DN-01 Page 3-9

- **Dedication of Public Improvement (DD)**
  - DD-01 Page 3-10

- **Easement (EA)**
  - EA-01 Page 3-11

- **Entryway Feature (EF)**
  - EF-01 Page 3-13

- **Erosion Control (EC)**
  - EC-01 Page 3-14

- **Floodplain (FP)**
  - FP-01 Page 3-15

- **Intensity Bonus (IB)**
  - IB-01 Page 3-16
  - IB-02 Page 3-17

- **Lot Establishment (LT)**
  - LT-01 Page 3-19

- **Monument and Marker (MM)**
  - MM-01 Page 3-21

- **Open Space (OP)**
  - OP-01 Page 3-22

- **Owners’ Association (OA)**
  - OA-01 Page 3-23

- **Pedestrian Network (PN)**
  - PN-01 Page 3-24

- **Perimeter Landscaping (PL)**
  - PL-01 Page 3-25

- **Plat Document (PD)**
  - PD-01 Page 3-27

- **Prerequisite Standards (PQ)**
  - PQ-01 Page 3-30

- **Restrictive Covenant (RC)**
  - RC-01 Page 3-31

- **Storm Water Standards (SM)**
  - SM-01 Page 3-33

- **Street and Access (SA)**
  - SA-01 Page 3-34
  - SA-02 Page 3-37
  - SA-03 Page 3-38
  - SA-05 Page 3-39
  - SA-07 Page 3-41

- **Street Lighting (SL)**
  - SL-01 Page 3-42

- **Surety (SY)**
  - UT-01 Page 3-43

- **Utility Standards (UT)**
  - UT-01 Page 3-45
2.13 Townhouse Subdivision Intent

The Townhouse Subdivision type is intended to provide a development option with the following features:

**Land Use**
- 100% residential, in the form of townhouses

**Applicability**
- Residential subdivisions involving townhouses including all sizes that may or may not require new streets

**Pedestrian Network**
- Safe, efficient, and highly accessible pedestrian circulation within the subdivision
- Safe, efficient, and easy access to adjacent development and perimeter streets

**Vehicular Network**
- Creation of grid-like street and alley system that allows for maximum connectivity to adjacent neighborhoods and non-residential activity centers
- Frequent use of alleys and garage access via alleys
- Short blocks
- Small radius corners

**Site Feature Preservation**
- Strive to save existing quality tree stands

**Incentives**
- Intensity bonus for anti-monotony design

2.14 Townhouse Subdivision Prerequisites

**Base Zoning**
- R-4, R-5

**Minimum Parent Tract**
- no minimum

**Maximum Parent Tract**
- no maximum

**Special Qualifications**
- Subdivision shall be designed around pedestrian-scale streetscape featuring narrow street profiles, on-street parking, building forward orientation, short blocks, and decorative street lighting

2.15 Townhouse Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in Chapter 8: Residential Districts, in the Town of Avon Zoning Ordinance when a subdivision is designed and implemented utilizing incentives in Section 3.11: Intensity Bonus Standards - Low or Section 3.12: Intensity Bonus Standards - High. Only the zoning districts shown in the table below are eligible for an intensity bonus.

<table>
<thead>
<tr>
<th>Intensity Bonus for Compliance with Incentive Standards</th>
<th>Zoning District</th>
<th>R-4 (High)</th>
<th>R-4 (Low)</th>
<th>R-5 (High)</th>
<th>R-5 (Low)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Min. Lot Area 4,800 sq ft</td>
<td></td>
<td>5,500 sq ft</td>
<td>3,200 sq ft</td>
<td>3,600 sq ft</td>
<td></td>
</tr>
<tr>
<td>townhouse</td>
<td></td>
<td>6,500 sq ft</td>
<td>3,200 sq ft</td>
<td>3,600 sq ft</td>
<td></td>
</tr>
<tr>
<td>5 units or less</td>
<td></td>
<td>3,500 sq ft</td>
<td>2,500 sq ft</td>
<td>2,750 sq ft</td>
<td></td>
</tr>
<tr>
<td>6 units or more</td>
<td></td>
<td>-</td>
<td>2,200 sq ft</td>
<td>2,500 sq ft</td>
<td></td>
</tr>
<tr>
<td>Min. Average Lot Area 4,000 sq ft</td>
<td></td>
<td>6,000 sq ft</td>
<td>2,500 sq ft</td>
<td>3,000 sq ft</td>
<td></td>
</tr>
<tr>
<td>Min. Lot Width</td>
<td></td>
<td>30 ft</td>
<td>45 ft</td>
<td>25 ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Min. Setback from street from property line</td>
<td></td>
<td>15 ft</td>
<td>no change</td>
<td>15 ft</td>
<td>no change</td>
</tr>
<tr>
<td>Min. Side Setback</td>
<td></td>
<td>8 ft</td>
<td>no change</td>
<td>8 ft</td>
<td>no change</td>
</tr>
<tr>
<td>Min. Rear Setback</td>
<td></td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
</tr>
<tr>
<td>Min. Building Separation</td>
<td></td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Max. Lot Coverage</td>
<td></td>
<td>80%</td>
<td>70%</td>
<td>90%</td>
<td>80%</td>
</tr>
<tr>
<td>Min. Dwelling Unit Size</td>
<td></td>
<td>1,200 sq ft</td>
<td>1,200 sq ft</td>
<td>1,000 sq ft</td>
<td>1,000 sq ft</td>
</tr>
<tr>
<td>Maximum Density</td>
<td></td>
<td>6.4 du/acre</td>
<td>5.5 du/acre</td>
<td>9.6 du/acre</td>
<td>9.6 du/acre</td>
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<tr>
<td>townhouse</td>
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<td>no change</td>
<td>no change</td>
<td>no change</td>
</tr>
<tr>
<td>5 units or less</td>
<td></td>
<td>12.0 du/acre</td>
<td>no change</td>
<td>14.0 du/acre</td>
<td>no change</td>
</tr>
<tr>
<td>6 units or more</td>
<td></td>
<td>-</td>
<td>no change</td>
<td>no change</td>
<td>no change</td>
</tr>
<tr>
<td>Other Standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Article 2: Subdivision Types

2.16 Townhouse Subdivision Standards

Required Open Space
• 0% when project is located within an area identified for town center or infill development in Comprehensive Plan or sub-area plan
• 10% when developed as a stand-alone townhouse project
• 20% when developed as a component of a mixed-use development

Minimum Perimeter Landscaping
• 25 feet along perimeter streets
• 10 feet along all other perimeters
• 0 feet if abutting a TN or a TD subdivision

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Average Block Length
• Between 300 and 500 feet

Minimum Cul-de-sac Length
• See Appendix A

Maximum Cul-de-sac Length
• See Appendix A

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Vertical curb required

Minimum Tree Plot Width
• 5 feet

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan

Required Open Space
• 0% when project is located within an area identified for town center or infill development in Comprehensive Plan or sub-area plan
• 10% when developed as a stand-alone townhouse project
• 20% when developed as a component of a mixed-use development

Minimum Perimeter Landscaping
• 25 feet along perimeter streets
• 10 feet along all other perimeters
• 0 feet if abutting a TN or a TD subdivision

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Average Block Length
• Between 300 and 500 feet

Minimum Cul-de-sac Length
• See Appendix A

Maximum Cul-de-sac Length
• See Appendix A

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Vertical curb required

Minimum Tree Plot Width
• 5 feet

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan

Additional Design Standards that Apply

<table>
<thead>
<tr>
<th>Standard</th>
<th>Page</th>
</tr>
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<tbody>
<tr>
<td>Amenity Center (AM)</td>
<td></td>
</tr>
<tr>
<td>• AM-01                    Page 3-4</td>
<td></td>
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<tr>
<td>Architectural (AR)</td>
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<tr>
<td>• AR-01                    Page 3-8</td>
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<td>• DN-01                    Page 3-9</td>
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<td>Dedication of Public Improvement (DD)</td>
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<tr>
<td>• DU-01                    Page 3-10</td>
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<td>Easement (EA)</td>
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<td>• EA-01                    Page 3-11</td>
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<tr>
<td>Entryway Feature (EF)</td>
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<td>• EF-01                    Page 3-13</td>
<td></td>
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<tr>
<td>Erosion Control (EC)</td>
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<td>• EC-01                    Page 3-14</td>
<td></td>
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<tr>
<td>Floodplain (FP)</td>
<td></td>
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<tr>
<td>• FP-01                    Page 3-15</td>
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<tr>
<td>Intensity Bonus (IB)</td>
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<tr>
<td>• IB-01                    Page 3-16</td>
<td></td>
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<td>• IB-02                    Page 3-17</td>
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<td>Lot Establishment (LT)</td>
<td></td>
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<tr>
<td>• LT-01                    Page 3-19</td>
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<td>Monument and Marker (MM)</td>
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<td>• MM-01                    Page 3-21</td>
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<tr>
<td>Open Space (OP)</td>
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<td>• OP-01                    Page 3-22</td>
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<tr>
<td>Owners’ Association (OA)</td>
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<tr>
<td>• OA-01                    Page 3-23</td>
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<td>• PN-01                    Page 3-24</td>
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<tr>
<td>Perimeter Landscaping (PL)</td>
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<td>• PL-01                    Page 3-25</td>
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<td>Plat Document (PD)</td>
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<td>• PD-01                    Page 3-27</td>
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<td>Prerequisite Standards (PQ)</td>
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<td>• PQ-01                    Page 3-30</td>
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<td>Restrictive Covenant (RC)</td>
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<tr>
<td>• RC-01                    Page 3-31</td>
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<td>Storm Water Standards (SM)</td>
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<tr>
<td>• SM-01                    Page 3-33</td>
<td></td>
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<tr>
<td>Street and Access (SA)</td>
<td></td>
</tr>
<tr>
<td>• SA-01                    Page 3-34</td>
<td></td>
</tr>
<tr>
<td>• SA-02                    Page 3-37</td>
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<tr>
<td>• SA-03                    Page 3-38</td>
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<td>• SA-05                    Page 3-39</td>
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<td>• SA-07                    Page 3-41</td>
<td></td>
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<tr>
<td>Street Lighting (SL)</td>
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<tr>
<td>• SL-01                    Page 3-42</td>
<td></td>
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<tr>
<td>Surety (SY)</td>
<td></td>
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<td>• UT-01                    Page 3-43</td>
<td></td>
</tr>
<tr>
<td>Utility Standards (UT)</td>
<td></td>
</tr>
<tr>
<td>• UT-01                    Page 3-45</td>
<td></td>
</tr>
</tbody>
</table>
## 2.17 Patio Home Subdivision Intent

The Patio Home Subdivision type is intended to provide a development option with the following features:

**Land Use**
- 100% residential

**Applicability**
- Residential subdivisions involving patio home development including all sizes that may or may not require new streets

**Pedestrian Network**
- Safe and efficient pedestrian circulation within the subdivision
- Safe and efficient pedestrian accessibility to adjacent development and perimeter streets

**Vehicular Network**
- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Large radius corners and curves

**Site Feature Preservation**
- Strive to save existing quality tree stands

**Incentives**
- Intensity bonus for anti-monotony design

### Intensity Bonus for Compliance with Incentive Standards

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>R-2 (High)</th>
<th>R-2 (Low)</th>
<th>R-3 (High)</th>
<th>R-3 (Low)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Standards</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Min. Lot Area</td>
<td>10,500 sq ft</td>
<td>11,500 sq ft</td>
<td>10,500 sq ft</td>
<td>11,500 sq ft</td>
</tr>
<tr>
<td>Min. Average Lot Area</td>
<td>11,500 sq ft</td>
<td>12,000 sq ft</td>
<td>11,500 sq ft</td>
<td>12,000 sq ft</td>
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<tr>
<td>Min. Lot Width</td>
<td>85 ft</td>
<td>88 ft</td>
<td>80 ft</td>
<td>83 ft</td>
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<tr>
<td>Min. Front Setback</td>
<td>50 ft</td>
<td>no change</td>
<td>50 ft</td>
<td>no change</td>
</tr>
<tr>
<td>Min. Side Setback</td>
<td>0 ft/30 ft</td>
<td>aggregate</td>
<td>0 ft/35 ft</td>
<td>aggregate</td>
</tr>
<tr>
<td>Min. Rear Setback</td>
<td>15 ft</td>
<td>15 ft</td>
<td>10 ft</td>
<td>10 ft</td>
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<tr>
<td>Min. Building Separation</td>
<td>15 ft</td>
<td>no change</td>
<td>15 ft</td>
<td>no change</td>
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<tr>
<td><strong>Other Standards</strong></td>
<td></td>
<td></td>
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<tr>
<td>Max. Lot Coverage</td>
<td>40%</td>
<td>35%</td>
<td>45%</td>
<td>40%</td>
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<tr>
<td>Min. Dwelling Unit Size</td>
<td>1,400 sq ft</td>
<td>1,400 sq ft</td>
<td>960 sq ft</td>
<td>960 sq ft</td>
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<tr>
<td>Maximum Density</td>
<td>3.0 du/acre</td>
<td>no change</td>
<td>3.0 du/acre</td>
<td>no change</td>
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</table>

2.18 Patio Home Subdivision Prerequisites

**Base Zoning**
- R-2, R-3, R-4, R-5

**Minimum Parent Tract:**
- No minimum

**Maximum Parent Tract:**
- No maximum

2.19 Patio Home Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in Chapter 8: Residential Districts, in the Town of Avon Zoning Ordinance when a subdivision is designed and implemented utilizing incentives in Section 3.11: Intensity Bonus Standards - Low or Section 3.12: Intensity Bonus Standards - High. Only the zoning districts shown in the table below are eligible for an intensity bonus.
2.20 Patio Home Subdivision Standards

Required Open Space
- 15%
- 25% when utilizing the Residential Incentive Bonus Standards

Minimum Peripheral Landscaping
- 25 feet along perimeter streets
- 10 feet along all other perimeters
- 0 feet if abutting a PH, CV, or ST subdivision

Minimum Buffer and Special Setback
- 20 foot buffer from existing traditional subdivision or residential component of an existing PUD
- 20 foot additional setback from non-patio home lot within existing sections of the same subdivision

Minimum Street Width
- See Appendix A

Curb
- Rolled or vertical curb required

Minimum Tree Plot Width
- 5 feet

Minimum Sidewalk/Sidepath Width
- See Appendix A
- Per the Bicycle and Pedestrian Plan

Additional Design Standards that Apply

<table>
<thead>
<tr>
<th>Design Standard</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amenity Center (AM)</td>
<td>Page 3-4</td>
</tr>
<tr>
<td>Architecture (AR)</td>
<td>Page 3-8</td>
</tr>
<tr>
<td>Development Name (DN)</td>
<td>Page 3-9</td>
</tr>
<tr>
<td>Dedication of Public Improvement (DD)</td>
<td>Page 3-10</td>
</tr>
<tr>
<td>Easement (EA)</td>
<td>Page 3-11</td>
</tr>
<tr>
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<td>Page 3-13</td>
</tr>
<tr>
<td>Erosion Control (EC)</td>
<td>Page 3-14</td>
</tr>
<tr>
<td>Floodplain (FP)</td>
<td>Page 3-15</td>
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<tr>
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<td>Page 3-17</td>
</tr>
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<td>Page 3-21</td>
</tr>
<tr>
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<td>Page 3-22</td>
</tr>
<tr>
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<td>Page 3-23</td>
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<td>Page 3-24</td>
</tr>
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<td>Page 3-25</td>
</tr>
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<td>Page 3-27</td>
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<td>Page 3-31</td>
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<td>Page 3-33</td>
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<td>Page 3-34</td>
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<td>Page 3-42</td>
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<td>Page 3-43</td>
</tr>
<tr>
<td>Street Lighting (SL)</td>
<td>Page 3-45</td>
</tr>
</tbody>
</table>
The Strip Commercial Subdivision type is intended to provide a development option with the following features:

**Land Use**
- At least 90% non-residential

**Applicability**
- Commercial strip subdivisions of all sizes that may or may not require new streets

**Pedestrian Network**
- Safe movement to primary structures from streets
- Safe movement between primary structures
- Safe accessibility to adjacent development and perimeter streets

**Vehicular Network**
- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Adequate accessibility for deliveries
- Use of frontage streets when necessary
- Minimal curb cuts

**Site Feature Preservation**
- Strive to save quality existing tree stands

---

**2.21 Strip Commercial Subdivision Intent**

**Base Zoning**
- INST, C-1, C-2, C-3, C-4

**Minimum Parent Tract**
- 2 acres (87,120 square feet)

**Maximum Parent Tract**
- No maximum

---

**2.22 Strip Commercial Subdivision Prerequisites**
2.23 Strip Commercial Subdivision Standards

Required Open Space
• 10%

Minimum Perimeter Landscaping
• 15 feet along perimeter streets
• 10 feet along all other perimeters
• 0 feet if abutting a C-1, C-2, C-3, or C-4 District

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Minimum Cul-de-sac Length
• See Appendix A

Maximum Cul-de-sac Length
• See Appendix A

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Rolled or vertical curb required

Minimum Tree Plot Width
• 5 feet

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan
• Sidewalks shall be installed along internal private access drives, particularly between public streets and main entrances

Additional Design Standards that Apply

<table>
<thead>
<tr>
<th>Development Name (DN)</th>
<th>Dedication of Public Improvement (DD)</th>
<th>Easement (EA)</th>
<th>Entryway Feature (EF)</th>
<th>Erosion Control (EC)</th>
<th>Floodplain (FP)</th>
<th>Lot Establishment (LT)</th>
<th>Monument and Marker (MM)</th>
<th>Open Space (OP)</th>
<th>Street Lighting (SL)</th>
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</thead>
<tbody>
<tr>
<td>DN-01</td>
<td>DD-01</td>
<td>EA-01</td>
<td>EF-01</td>
<td>EC-01</td>
<td>FP-01</td>
<td>LT-02</td>
<td>MM-01</td>
<td>OP-01</td>
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</table>


OA-01 PN-01 PL-01 PD-01 PQ-01 RC-01 SM-01 SA-01 SY-01 UT-01


Minimum Street Width
• See Appendix A

Curb
• Rolled or vertical curb required

Minimum Tree Plot Width
• 5 feet

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan
• Sidewalks shall be installed along internal private access drives, particularly between public streets and main entrances

Additional Design Standards that Apply

<table>
<thead>
<tr>
<th>Development Name (DN)</th>
<th>Dedication of Public Improvement (DD)</th>
<th>Easement (EA)</th>
<th>Entryway Feature (EF)</th>
<th>Erosion Control (EC)</th>
<th>Floodplain (FP)</th>
<th>Lot Establishment (LT)</th>
<th>Monument and Marker (MM)</th>
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<th>Street Lighting (SL)</th>
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<td>EF-01</td>
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<td>FP-01</td>
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OA-01 PN-01 PL-01 PD-01 PQ-01 RC-01 SM-01 SA-01 SY-01 UT-01

# Commercial District Subdivision (CD)

## 2.24 Commercial District Subdivision Intent

<table>
<thead>
<tr>
<th>Pedestrian Network</th>
<th>Incentives</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Safe movement to primary structures from streets</td>
<td>• Intensity bonus for green design</td>
</tr>
<tr>
<td>• Safe movement between primary structures</td>
<td></td>
</tr>
<tr>
<td>• Safe accessibility to adjacent development and perimeter streets</td>
<td></td>
</tr>
</tbody>
</table>

**Land Use**
- At least 90% non-residential

**Applicability**
- Commercial subdivisions regardless of the number of lots and regardless if new infrastructure improvements are required

**Pedestrian Network**
- Safe movement to primary structures from streets
- Safe movement between primary structures
- Safe accessibility to adjacent development and perimeter streets

**Vehicular Network**
- Connectivity to adjacent development, adjacent undeveloped parcels, and the existing street network
- Adequate accessibility for deliveries
- Use of frontage roads when necessary
- Minimal curb cuts

**Site Feature Preservation**
- Strive to save quality existing tree stands

## 2.25 Commercial District Subdivision Prerequisites

**Base Zoning**
- INST, C-1, C-2, C-3, C-4, SC

**Minimum Parent Tract**
- 2 acres (87,120 square feet)

**Maximum Parent Tract**
- No maximum

## 2.26 Commercial District Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in Chapter 12: Industrial Districts, in the Town of Avon Zoning Ordinance when a subdivision is designed and implemented utilizing incentives in Section 3.11: Intensity Bonus Standards - Low or Section 3.12: Intensity Bonus Standards - High. Only the zoning districts shown in the table below are eligible for an intensity bonus.

### Intensity Bonus for Compliance with Incentive Standards

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>C-1 (High)</th>
<th>C-1 (Low)</th>
<th>C-2 (High)</th>
<th>C-2 (Low)</th>
<th>C-3 (High)</th>
<th>C-3 (Low)</th>
<th>C-4 (High)</th>
<th>C-4 (Low)</th>
<th>SC (High)</th>
<th>SC (Low)</th>
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<tr>
<td><strong>Lot</strong></td>
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</tr>
<tr>
<td>Min. Lot Area</td>
<td>9,000 sq ft</td>
<td>10,000 sq ft</td>
<td>9,000 sq ft</td>
<td>10,000 sq ft</td>
<td>30,000 sq ft</td>
<td>31,500 sq ft</td>
<td>9,000 sq ft</td>
<td>10,000 sq ft</td>
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</tr>
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<td>Min. Lot Width</td>
<td>125 ft</td>
<td>125 ft</td>
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<td>125 ft</td>
<td>125 ft</td>
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<tr>
<td>Min. Front Setback</td>
<td>35 ft</td>
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<td>35 ft</td>
<td>no change</td>
<td>35 ft</td>
<td>no change</td>
<td>35 ft</td>
<td>no change</td>
<td>35 ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Min. Side Setback</td>
<td>7 ft</td>
<td>9 ft</td>
<td>7 ft</td>
<td>9 ft</td>
<td>7 ft</td>
<td>9 ft</td>
<td>7 ft</td>
<td>9 ft</td>
<td>35 ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Min. Rear Setback</td>
<td>10 ft</td>
<td>13 ft</td>
<td>10 ft</td>
<td>13 ft</td>
<td>10 ft</td>
<td>13 ft</td>
<td>10 ft</td>
<td>13 ft</td>
<td>35 ft</td>
<td>40 ft</td>
</tr>
<tr>
<td><strong>Coverage</strong></td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
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</tbody>
</table>
Article 2-15

Commercial District Subdivision (CD)

2.27 Commercial District Subdivision Standards

Required Open Space
- 10%

Minimum Perimeter Landscaping
- 15 feet along all perimeter streets
- 10 feet along all other perimeters
- 0 feet if abutting a C-1, C-2, C-3, or C-4 District

Additional Design Standards that Apply

Minimum Street Width
- See Appendix A

Curb
- Rolled or vertical curb required

Minimum Block Length
- See Appendix A

Maximum Block Length
- See Appendix A

Minimum Cul-de-sac Length
- See Appendix A

Maximum Cul-de-sac Length
- See Appendix A

Minimum ROW on Local Streets
- See Appendix A

Minimum Tree Plot Width
- 5 feet

Minimum Sidewalk/Sidepath Width
- See Appendix A
- Per the Bicycle and Pedestrian Plan
- Sidewalks shall be installed along internal private access drives, particularly between public streets and main entrances

Development Name (DN)
- DN-01.......................... Page 3-9

Dedication of Public Improvement (DD)
- DD-01.......................... Page 3-10

Easement (EA)
- EA-01.........................Page 3-11

Entryway Feature (EF)
- EF-01..........................Page 3-13

Erosion Control (EC)
- EC-01..........................Page 3-14

Floodplain (FP)
- FP-01..........................Page 3-15

Intensity Bonus (IB)
- IB-01.........................Page 3-16
- IB-02.........................Page 3-17

Lot Establishment (LT)
- LT-01.........................Page 3-19
- LT-02.........................Page 3-20

Monument and Marker (MM)
- MM-01.........................Page 3-21

Open Space (OP)
- OP-01.........................Page 3-22

Owners’ Association (OA)
- OA-01.........................Page 3-23

Pedestrian Network (PN)
- PN-01.........................Page 3-24

Perimeter Landscaping (PL)
- PL-01.........................Page 3-25

Plat Document (PD)
- PD-01.........................Page 3-27

Prerequisite Standards (PQ)
- PQ-01.........................Page 3-30

Restrictive Covenant (RC)
- RC-01.........................Page 3-31

Storm Water Standards (SM)
- SM-01.........................Page 3-33

Street and Access (SA)
- SA-01.........................Page 3-34
- SA-02.........................Page 3-37
- SA-06.........................Page 3-40
- SA-07.........................Page 3-41

Street Lighting (SL)
- SL-01.........................Page 3-42

Surety (SY)
- UT-01.........................Page 3-43

Utility Standards (UT)
- UT-01.........................Page 3-45
2.28 Industrial Park Subdivision Intent

The Industrial Park Subdivision type is intended to provide a development option with the following features:

**Land Use**
- 100% non-residential
- At least 60% industrial uses

**Applicability**
- Industrial subdivisions of all sizes that may or may not require new streets

**Pedestrian Network**
- Safe movement to primary structures from streets
- Safe movement between primary structures
- Safe accessibility to perimeter streets

**Vehicular Network**
- Connectivity to adjacent lots
- Use of frontage streets when necessary
- Safe and efficient integration of vehicular and truck traffic
- Minimal curb cuts

**Site Feature Preservation**
- Strive to save quality existing tree stands

**Incentives**
- Intensity bonus for green design

---

2.29 Industrial Park Subdivision Prerequisites

**Base Zoning**
- I-1, I-2, I-3, I-4

**Minimum Parent Tract**
- 2 acres

**Maximum Parent Tract**
- 50 acres

---

2.30 Industrial Park Subdivision Intensity Incentives

The intensity bonus listed in the table below adjusts the corresponding standards listed in Chapter 12: Industrial Districts, in the Town of Avon Zoning Ordinance when a subdivision is designed and implemented utilizing incentives in Section 3.11: Intensity Bonus Standards - Low or Section 3.12: Intensity Bonus Standards - High. Only the zoning districts shown in the table below are eligible for an intensity bonus.

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>I-1 (High)</th>
<th>I-1 (Low)</th>
<th>I-2 (High)</th>
<th>I-2 (Low)</th>
<th>I-3 (High)</th>
<th>I-3 (Low)</th>
<th>I-4 (High)</th>
<th>I-4 (Low)</th>
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</thead>
<tbody>
<tr>
<td>Min. Lot Area</td>
<td>19,500 sq ft</td>
<td>20,500 sq ft</td>
<td>19,500 sq ft</td>
<td>20,500 sq ft</td>
<td>58,000 sq ft</td>
<td>61,500 sq ft</td>
<td>9 acres</td>
<td>9.5 acres</td>
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<tr>
<td>Min. Lot Width</td>
<td>100 ft</td>
<td>100 ft</td>
<td>125 ft</td>
<td>125 ft</td>
<td>240 ft</td>
<td>240 ft</td>
<td>240 ft</td>
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<tr>
<td>Min. Front Setback</td>
<td>35 ft</td>
<td>no change</td>
<td>35 ft</td>
<td>no change</td>
<td>35 ft</td>
<td>no change</td>
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<tr>
<td>Min. Side Setback</td>
<td>15 ft</td>
<td>18 ft</td>
<td>15 ft</td>
<td>18 ft</td>
<td>20 ft</td>
<td>25 ft</td>
<td>15 ft</td>
<td>18 ft</td>
</tr>
<tr>
<td>Min. Rear Setback</td>
<td>15 ft</td>
<td>18 ft</td>
<td>15 ft</td>
<td>18 ft</td>
<td>20 ft</td>
<td>25 ft</td>
<td>15 ft</td>
<td>18 ft</td>
</tr>
<tr>
<td>Max. Lot Coverage</td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
<td>75%</td>
<td>65%</td>
</tr>
</tbody>
</table>
Minimum Open Space
• 10%

Minimum Perimeter Landscaping
• 40 feet along perimeter streets
• 20 feet along all other perimeters
• 0 feet if abutting a C-2, C-3, C-4, I-2, I-3 or I-4 District

Minimum Block Length
• See Appendix A

Maximum Block Length
• See Appendix A

Cul-de-sac Length
• Cul-de-sacs not permitted

Minimum ROW on Local Streets
• See Appendix A

Minimum Street Width
• See Appendix A

Curb
• Rolled or vertical curb required

Minimum Tree Plot Width
• 5 feet

Minimum Sidewalk/Sidepath Width
• See Appendix A
• Per the Bicycle and Pedestrian Plan
• Sidewalks shall be installed along internal private access drives, particularly between public streets and main entrances

Additional Design Standards that Apply

Development Name (DN)
• DN-01 ................. Page 3-9

Dedication of Public Improvement (DD)
• DD-01 .................. Page 3-10

Easement (EA)
• EA-01 .................. Page 3-11

Entryway Feature (EF)
• EF-01 .................. Page 3-13

Erosion Control (EC)
• EC-01 .................. Page 3-14

Floodplain (FP)
• FP-01 .................. Page 3-15

Intensity Bonus (IB)
• IB-01 .................. Page 3-16
• IB-02 .................. Page 3-17

Lot Establishment (LT)
• LT-02 .................. Page 3-20

Monument and Marker (MM)
• MM-01 .................. Page 3-21

Open Space (OP)
• OP-01 .................. Page 3-22

Owners’ Association (OA)
• OA-01 .................. Page 3-23

Pedestrian Network (PN)
• PN-01 .................. Page 3-24

Perimeter Landscaping (PL)
• PL-01 .................. Page 3-25

Plat Document (PD)
• PD-01 .................. Page 3-27

Prerequisite Standards (PO)
• PQ-01 .................. Page 3-30

Restrictive Covenant (RC)
• RC-01 .................. Page 3-31

Storm Water Standards (SM)
• SM-01 .................. Page 3-33

Street and Access (SA)
• SA-01 .................. Page 3-34
• SA-02 .................. Page 3-37
• SA-06 .................. Page 3-40
• SA-07 .................. Page 3-41

Street Lighting (SL)
• SL-01 .................. Page 3-42

Surety (SY)
• UT-01 .................. Page 3-43

Utility Standards (UT)
• UT-01 .................. Page 3-45
Design Standards Introduction

3.01 Using This Section

The following pages contain the design standards for site and infrastructure improvements associated with subdivisions. Each section represents the regulations for a specific category and they apply cumulatively. There are two (2) ways to determine which design standards apply to a specific type of petition. They are:

A. **Using Two-page Layouts:** Refer to the two-page layouts in *Article 2: Subdivision Types* for a specific subdivision type. Applicable design standards for that specific subdivision type are identified by four-digit codes in the "Additional Design Standards that Apply" section. Only the four-digit codes noted in the "Additional Design Standards that Apply" section apply to that subdivision type.

B. **Using Icons:** Refer to the subdivision type icons used at the top of each design standards section in *Article 3: Design Standards*. Each design standard section begins with a four-digit code and introductory sentence followed by icons that represent each subdivision type. These icons note that the design standards written in that section applies to that type of subdivision.
### Subdivision Type Key

<table>
<thead>
<tr>
<th>Icon</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>ST</td>
<td>Standard Subdivision</td>
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<tr>
<td>CV</td>
<td>Conservation Subdivision</td>
</tr>
<tr>
<td>TD</td>
<td>Traditional Subdivision</td>
</tr>
<tr>
<td>TN</td>
<td>Townhouse Subdivision</td>
</tr>
<tr>
<td>PH</td>
<td>Patio Home Subdivision</td>
</tr>
<tr>
<td>SC</td>
<td>Strip Commercial Subdivision</td>
</tr>
<tr>
<td>CD</td>
<td>Commercial District Subdivision</td>
</tr>
<tr>
<td>IP</td>
<td>Industrial Park Subdivision</td>
</tr>
</tbody>
</table>
3.03 AM-01: Amenity Center Standards

This Amenity Center Standards section applies to the following types of development:

A. **Requirement**: Amenity centers shall be installed in established common areas, excluding common areas established for perimeter landscaping and buffer yards. The following requirements are cumulative:

1. **Primary Amenity Center**: A "neighborhood park" is required in any residential subdivision with a parent tract greater than eighty (80) acres or with over 140 dwelling units. An additional neighborhood park is required per additional eighty (80) acres or 140 dwelling units. When an additional neighborhood park is required one of the following shall occur:
   a. A "sport court" may be substituted and located adjacent to the first "neighborhood park" or on a unique site;
   b. The second "neighborhood park" can be located adjacent to the first with the minimum required amenities for both parks combined together as a single park; or
   c. The second "neighborhood park" can be located on a unique site.

2. **Secondary Amenity Center**: A "standard facility" is required in any residential subdivision with a parent tract greater than 120 acres or with over 260 dwelling units. An additional "standard facility" is required for every additional 120 acres or 260 dwelling units. When an additional "standard facility" is required, one of the following shall occur:
   a. A "nature center" may be substituted for an additional "standard facility"; or
   b. The first "standard facility" shall be expanded to an "enhanced facility"; or
   c. The second "standard facility" shall be located on a unique site.

3. **Major Amenity Center**: A "swimming pool," "indoor playground," or equivalent amenity feature is required in any residential subdivision with a parent tract greater than 240 acres or with over 460 dwelling units. An additional, but different than the first, "swimming pool," "indoor playground," or the equivalent is required for every additional 240 acres or 400 dwelling units. When an additional "major amenity center" is required, one of the following shall occur:
   a. An equivalent amenity feature may be substituted for an additional "major amenity center"; or
   b. The minimum standard for a swimming pool may be doubled; or
   c. The additional "major amenity center" may be an off-site connection to a municipal park or recreation feature if deemed equivalent by the Plan Commission.

B. **Minimum Standards for Each Facility**:

1. **Neighborhood Park**: A neighborhood park may be a passive park or active park.
   a. **Passive Park**:
      i. A minimum of one (1) acre;
      ii. At least fifty percent (50%) of the lot shall have mature trees or eighty percent (80%) of the lot shall be planted with canopy trees and under-story trees under the guidance of a certified arborist and a landscape architect;
      iii. A minimum of a small open shelter 200 square feet in area; and
      iv. A minimum of 300 feet of trails with at least six (6) feet of width and with two (2) inches of crushed limestone or 500 feet of trails with three (3) inches of mulch.
   b. **Active Park**:
      i. A minimum of 18,000 square feet;
      ii. A decorative metal fence no more than four (4) feet in height surrounding the lot, and with at least two (2) entrances;
      iii. Playground equipment with at least two (2) slides, four (4) swings, three (3) climbing apparatus, and three (3) additional optional apparatus. All playground equipment shall be commercial grade and permanently affixed to the ground. Further, at least one-third (1/3) of all apparatus shall be designed for toddler; and
      iv. A safe surface shall be installed below each apparatus. A safe surface may include, but is not limited to eight (8) inches of mulch or four (4) inches of recycled tires.
2. **Sport Court**: The minimum standards for a sport court include one of the following.
   a. **Tennis**:  
      i. A single regulation sized tennis court;  
      ii. Minimum sixteen (16) feet of hard surface at each end of the court and twelve (12) feet of hard surface on each side for comfortable play;  
      iii. Minimum of six-foot (6’) tall side fences and eight-foot (8’) tall end fences with at least four (4) entrances; and  
      iv. A commercial quality net and court striping.  
   b. **Basketball**:  
      i. A minimum of two (2) separate regulation-sized half-courts;  
      ii. A minimum of eight (8) feet of hard surface from all edges of the court for comfortable play;  
      iii. A minimum of two (2) commercial quality goals opposite of one another and court striping; and  
      iv. A minimum of six-foot (6’) tall side fences and eight-foot (8’) tall end fences with at least four (4) entrances.  
   c. **Volleyball**:  
      i. A single regulation sized sand volleyball court;  
      ii. A minimum of eight (8) feet of sand at each end of the court and six (6) feet of sand on each side for comfortable play;  
      iii. A minimum of six-foot (6’) tall side fences and eight-foot (8’) tall end fences with four (4) gated entrances;  
      iv. A commercial quality net, poles, and boundary tapes; and  
      v. At least eight (8) inches of very fine sand.

3. **Standard Facility**: The minimum standards for a "standard facility" include all of the following:  
   a. **Architecture**: The facility shall be designed to reflect the best residential characteristics in the neighborhood.  
   b. **Square Footage**: The facility shall be at least 800 square feet in floor area.  
   c. **Indoor Facilities**: The facility shall have at least a men’s and women’s restroom and a minimum of fifty (50) square feet of lockable storage.  
   d. **Outdoor Facilities**: A minimum of 300 square feet of patio space plus sidewalks leading to and from the facility.  
   e. **Furnishings**: The facility shall have commercial grade chairs, tables and other furnishings for small parties, small gatherings and small meetings.

4. **Enhanced Facility**: The minimum standards for an "enhanced facility" include all of the following:  
   a. **Four Seasons**: The facility shall be fully enclosed, heated and air-conditioned.  
   b. **Architecture**: The facility shall be designed to reflect the best residential characteristics in the neighborhood, and have a brick or stone chimney.  
   c. **Square Footage**: The facility shall be at least 1,600 square feet in floor area.  
   d. **Indoor Facilities**: The facility shall have at least a men’s and women’s restroom, a full kitchen, gas or wood burning fireplace, and a minimum of 100 square feet of lockable storage.  
   e. **Outdoor Facilities**: A minimum of 600 square feet of patio space plus sidewalks leading to and from the facility.  
   f. **Furnishings**: The facility shall have commercial grade chairs, tables and other furnishings for large parties, large gatherings and large meetings. It should also have two (2) pieces of indoor play sets for children.

5. **Nature Center**: The minimum standards for a "nature center" include all of the following:  
   a. **Location/Area**: The nature center shall be located adjacent to or on a wooded lot, and shall be located on a minimum of a one-half acre (½-ac.) parcel.  
   b. **Four Seasons**: The nature center shall be fully enclosed and heated and air-conditioned. All mechanical equipment shall be substantially screened.  
   c. **Architecture**: The nature center shall be designed to blend into the natural area and be complementary to the neighborhood.
d. Square Footage: The nature center shall be at least 500 square feet in floor area.

e. Indoor Facilities: The nature center shall have at least a men’s and women’s restroom, and twenty (20) educational displays, and a minimum of fifty (50) square feet of lockable storage.

f. Outdoor Facilities: A minimum of 300 square feet of gathering space plus sidewalks leading to and from the facility. The gathering space and sidewalks leading to the nature center do not have to be concrete. They may be wood, stone, crushed limestone or similar natural material.

g. Furnishings: The nature center shall have commercial grade chairs, tables and other furnishings for small parties, small gatherings and small meetings.

h. Landscaping: The nature center shall have at least five (5) canopy trees planted around the facility if it is not located on or immediately adjacent to a wooded lot.

6. Swimming Pool: The minimum standard for a swimming pool includes all of the following:

a. Area: The pool shall be at least 1,200 square feet in area when the subdivision has 150 dwelling units or less. The pool shall be at least 1,800 square feet in area when the subdivision has more than 150 dwelling units, and shall have a secondary pool feature (e.g. zero-depth pool entrance, tot pool, or splash pad).

b. Fencing: A decorative, non-privacy, metal fence shall be installed as per the height required per code.

c. Indoor Facilities: An enclosed men’s and women’s restroom/changing room are required in proximity to the pool.

d. Patio: A hard surface area shall extend at least twelve (12) feet from the edge of the pool on all sides.

e. Landscaping: Landscaping shall be installed around the facility and reflect the best characteristics of the neighborhood.

7. Indoor Playground: The minimum standards for an "indoor playground" include all of the following:

a. Four Seasons: The facility shall be fully enclosed, heated and air-conditioned.

b. Square Footage: The facility shall be at least 700 square feet in area.

c. Architecture: The facility shall be designed to reflect the best residential characteristics in the neighborhood.

d. Indoor Play Features: The indoor playground shall have at least two (2) slides, four (4) climbing apparatus, and two (2) additional optional apparatus. The ceiling height shall be at least fourteen (14) feet and the floor shall be effectively padded with a foam or rubber covering where appropriate.

e. Other Indoor Features: The indoor playground shall have a men’s and women’s restroom and a minimum of fifty (50) square feet of lockable storage.

C. Minimum Landscape Material Size: Trees planted to meet the above described standards shall meet the following size standards.

1. Canopy Trees: The minimum caliper of required canopy trees shall be 1 ½ inches.

2. Ornamental and Understory Trees: The minimum caliper of required ornamental and understory trees shall be 1 ½ inches.

3. Evergreen Trees: The minimum height of required evergreen trees shall be four feet after planting.

D. Plan Commission Discretion: The Plan Commission shall have the authority to accept a clearly equivalent or greater amenity center in-lieu-of what is required. The developer shall provide any information necessary for the Plan Commission to determine the degree of equivalency. The Plan Commission shall utilize the Waiver findings in Section 1.15: Waivers.

E. Timing of Installation: Amenity center facilities shall be installed or constructed prior to the sale of seventy-five percent (75%) of the subdivision lots, upon construction of sixty-five percent (65%) of the primary structures, or upon construction of ninety-five percent (95%) of the primary structures, whichever is less.
F. **Installation and Maintenance:**

1. **Minimum Standards:** The standards within Section 3.03 shall be considered minimum standards for installation.

2. **Maintenance Prior to Resident Control:** Any amenity center provided as a part of a plat approval shall be maintained in accordance with the standards of Section 3.03: Amenity Center Standards while the developer (or their successor or assign) maintains control of the owners' association. Removal or modification of any amenity center shall require Plan Commission approval.

3. **Maintenance After Transition of Control:** Once the control of the subdivision owners' association has legally been transferred to the residents, maintenance of the amenity centers shall be the responsibility of the owners' association. Removal or modification of any amenity center shall require Plan Commission approval. Any subdivision that received a density or intensity bonus from installation of amenity centers shall be required to employ professional Owner's Association management services. However, by 2/3 vote, the property owners with the subdivision may opt out of professional management services, thus assuming full responsibility for managing the amenities.

4. **ADA Accessibility:** An amenity center shall comply with ADA accessibility standards. If, by characteristics inherent to the proposed amenity's physical nature, cannot be made to be ADA accessibility compliant, it may be approved by the Plan Commission provided it does not serve as the only proposed amenity center for the development. All amenity centers, once constructed in compliance with ADA accessibility standards, shall be maintained as such in perpetuity, regardless of whether controlled by the developer or home owners' association.

G. **Determination of Parent Tract:** If two (2) or more lots are:

1. **Timing:** Going to be developed concurrently or sequentially over time; and are

2. **Contiguity:** Contiguous to one another; including when separated by a right-of-way or easement, or when within 100 feet of the boundary of one another; and are

3. **Same Ownership:** Either being:
   a. Platted by one (1) or more persons or entities with fifty percent (50%) or more stake in developing the lots. Two or more separate corporate entities with one (1) or more persons having majority ownership in those corporate entities shall constitute same ownership; or
   b. Built-out by predominantly or fully by a single builder; then

4. **Regulated as One:** The two (2) or more lots shall be regulated as a single development and be subject to the amenity center standards above. For example, if a 200 lot subdivision is separated by a collector from a 300 lot subdivision are platted by predominantly the same entity, then the amenity standards shall apply to the two (2) developments as if they were a single development. Between the two (2) developments, the amenity standards for a 500 lot subdivision would be required.
3.04 AR-01: Architectural Standards

This Architectural Standards section applies to the following types of development:

A. Building Materials:
   1. Masonry:
      a. At least fifty percent (50%) of the first floor on the front façade (exclusive of trim, windows, and doorways) of residential buildings shall be masonry; or 100% of all exterior facades shall be fiber cement siding (exclusive of trim, windows, and doorways).
      b. Where a residential structure abuts a perimeter road or a less intense residential zoning district, a minimum of fifty percent (50%) of the first floor on all faces of the building visible from the road or adjoining the less intense residential district, exclusive of windows and doorways, shall be masonry.
   2. Vinyl Siding: If used, vinyl shall be premium grade vinyl siding and shall have a minimum thickness of 0.044 inches and shall comply with the ASTM (American Society for Testing and Materials) Standard Specification for rigid poly siding (ASTM D3679). All siding shall be Class I as listed in this standard. The minimum length of uncut siding pieces shall be twelve (12) feet. The installer shall make every effort to minimize the number of joints and to keep the length of installed siding pieces to twelve (12) feet. Additionally, the selected materials shall preserve a wood grained finish in both the siding and the trim.
      On "gable end trusses" that are constructed out of two by four inch (2" X 4") dimensional lumber installed vertically at sixteen inch (16") on center (or greater spacing) and where the vertical two by fours (2 X 4's) are ten feet (10') or greater in length, the builder shall install a "strongback" and/or T-brace on the attic side of the truss, approximately at mid span of these vertical two by fours (2 X 4's) to serve as an added support mechanism to stop bowing of the vertical two by fours (2 X 4's) and the siding attached to it.
   3. Combining Materials: Where two (2) wall materials are combined horizontally on one (1) façade, the heavier material shall be below the other.

B. Eaves: A minimum of eighty percent (80%) of the roof edges of all roof structures on a primary structure shall have an eight (8) inch eave.

C. Driveways: Residential drives shall be constructed of concrete material when less than or equal to 100 feet in length, measured from the right-of-way line to the front of the primary structure. Asphalt shall be allowed as a driveway surface when driveways are greater than 100 feet in length.
   1. Within Conservation Subdivisions: Any driveway within a conservation subdivision may be pervious pavement, pervious paving stones, or other durable pervious paving option.

D. Anti-monotony Standards: In order to facilitate creative streetscapes, each residential subdivision shall institute within its covenants anti-monotony standards for single-family housing. Such anti-monotony standards shall set forth the requirements for separation of similar building facades and/or facade and trim colors so that a variety of housing styles is apparent from any point within the neighborhood.
Article 3: Design Standards

03 Development Name Standards (DN)

3.05 DN-01: Development Name Standards

This Development Name Standards section applies to the following types of development:

A. **Proposed Development Name**: The applicant shall propose a unique name for the development.
   1. **Root Name**: The proposed root name of the development shall not duplicate in spelling or closely approximate phonetically, the name of any other development within the Town of Avon's corporate limit, or within one (1) mile of the town's corporate limit.
   2. **Suffix Name**: Deviations in suffix names (e.g. Place, Woods, or Glen) shall not constitute a unique name (e.g. if Preston Place exists, the name Preston Woods shall not be permitted).
   3. **Large Developments**: Unique subareas within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission.

B. **Approval Authority**: While the development name proposed by the applicant shall be considered, the Plan Commission has authority to approve or deny the proposed name.

C. **Renaming Authority**: 
   1. **Existing Development Names**: Existing development names or development names that have been approved by the Plan Commission, but not yet built, shall not be changed without Plan Commission approval.
   2. **Proposed Development Names**: The Plan Commission shall have authority to require the applicant to propose a new unique name for a development if the initial name proposed by the applicant is unacceptable. If an acceptably unique development name is not proposed by the applicant, the Plan Commission shall name the development prior to final approval.
3.06 DD-01: Dedication of Public Improvement Standards

This Dedication of Public Improvement Standards section applies to the following types of development:

A. **Project Applicability:** The following standard shall apply to a subdivision that includes public streets, public sidewalks, public sidepaths, or public trails.

B. **Right-of-way:** The Primary Plat and Final Plat shall show the necessary right-of-way for each public facility. The right-of-way shall be considered dedicated upon Final Plat approval by the Plan Commission.

C. **Exclude Atypical Features:** The Town of Avon may elect not to allow atypical access and parking facilities to be included in the proposed right-of-way. Atypical access and parking facilities may include, but are not limited to: alleys, driveway aprons, access roads, unusual on-street parking, or eyebrows.

1. **Performance Surety:** Prior to recording of the Final Plat, a performance bond shall be provided to the Town of Avon. The performance bond is required for 110% of the total cost for the public streets, and shall include twenty percent (20%) of the total cost of all public sidewalks, public sidepaths, public trails erosion control, street signs, boundary markers and monuments, drainage improvements, and mass excavation.

2. **Exemption:** The responsibility for a surety for sidewalks may be transferred to one (1) or more builders if said builder(s) has purchased the lots, or has exclusivity to develop one (1) or more lots within the development. If this practice is utilized, the builder shall provide a surety equal to twenty percent (20%) of the total cost of the sidewalk for each lot under the builder's control.

D. **Other Public Facilities:** Other facilities may, at the election of the Avon Town Council, be dedicated to the Town of Avon. Under no circumstance shall the Avon Town Council be required to accept other public facilities. These facilities may include, but are not limited to: parks, open space, retention ponds, public utilities, drainage facilities, or street lighting in which the Town of Avon may have interest. Performance bonds may be required.
3.07  EA-01: Easement Standards

This Easement Standards section applies to the following types of development:

A. Cross-reference:

1. Private Street Easements:  For details concerning private street easements, see Section 3.25: Street and Access Standards; Private.
2. Temporary Turnaround Easements:  For details concerning temporary turnaround easements, see Section 3.24: Street and Access Standards, General.
3. Utility Easements:  For details concerning utility easements, see Section 3.33: Utility Standards.
4. Drainage Easements:  For details concerning drainage easements, see Section 3.23: Storm Water Standards.

B. Cross-access Easements:

1. Conflict with Utility Easements:  Cross-access easements shall not impede, encroach, or otherwise interfere with utility easements and the providers thereof.
2. Instrument Specifications:  When required by this Subdivision Control Ordinance each property owner of record shall execute a cross-access easement instrument in favor of the adjoining property owner.  The cross-access easement instrument shall be signed by the owner of all associated properties.  The cross-access easement instrument shall include the following language:
   a. Identify the development with which the cross-access easement is associated.
   b. The cross-access easement shall grant the general public the right to utilize the easement for purpose of accessing adjoining parking areas, public spaces, or lots.
   c. The cross-access easement shall prohibit any person from parking vehicles within the easement.
   d. The cross-access easement shall prohibit any person, including the property owner, from placing any obstruction within the cross-access easement, or from removing or modifying features installed in the easement.
   e. The cross-access easement shall be binding on all heirs, successors, and assigns to the property on which the cross-access easement is located.
   f. The cross-access easement shall be enforceable by the owners of each associated property, the Town of Avon, and any other specially affected persons identified in the cross-access easement.
   g. The cross-access easement shall provide for modification or termination in a manner specified in this Subdivision Control Ordinance.
   h. The cross-access easement shall be cross-referenced to the most recently recorded deeds of the associated properties.
   i. The cross-access easement shall include a metes and bounds description of the easement.
3. Cross-access Easement Certificate:
   a. When a Final Plat is being recorded, the applicant may forego a separate cross-access easement instrument in favor of printing the following:
   b. Cross-access Easement Certificate on the recordable instrument:
   
   Areas on these plans designated as a Cross-access Easement are established in favor of the adjoining property owner, and grant the public the right to enter the easement for purposes of accessing adjoining lots.  These easements prohibit any person from parking vehicles within the easement, and prohibit the property owners or any other person from placing any obstruction within the easement.  These easements are binding on all heirs, successors, and assigns to the property on which they are located.  The grantee or the Town of Avon may enforce the provisions of the easement.  The easement shall only be modified or vacated in the manner stipulated in this Subdivision Control Ordinance, or its succeeding ordinance.
   c. The dedication and acceptance of any cross-access easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their agents.
   d. If the Declaration of Covenants is included on the recordable instrument, the cross-access easement certificate shall be clearly separate from the Declaration of Covenants.
C. General Easements:

1. Instrument Specifications: When an easement is proposed by the petitioner, required by this Subdivision Control Ordinance, or an easement is required per a commitment or condition of approval, but the standards for the easement type are not specified, the property owner of record shall execute the easement instrument in favor of the appropriate parties (e.g. the general public, Town of Avon, specific abutting property owner, etc.). The easement instrument shall be signed by the property owner of record granting the easement and an authorized representative of the appropriate party accepting the easement. The easement instrument shall include the following language:
   a. Identify the project or development with which the easement is associated.
   b. Specify those activities the appropriate parties are authorized to perform in the easement.
   c. Specify those activities the property owner of record is prohibited from performing in the easement.
   d. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
   e. Be enforceable by the property owner of record, any appropriate parties, and the Town of Avon.
   f. Provide for modification in the manner stipulated in this Subdivision Control Ordinance.
   g. Be cross-referenced to the most recently recorded deed to the property on which the easement is to be established.
   h. Include a metes and bounds description of the easement.
   i. Be signed by an authorized representative of the property owner of record granting the easement and by an authorized representative of the grantee accepting the easement.

2. Easement Certificate:
   a. When a Final Plat is being recorded, the applicant may forego a separate easement instrument in favor of printing an easement certificate, the content of which has been approved by the Plan Commission Attorney, on the recordable instrument.
   b. The dedication and acceptance of any easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the appropriate property owners, or their agents.
   c. If the Declaration of Covenants is included on the recordable instrument, the easement certificate shall be clearly separate from the Declaration of Covenants.
Article 3: Design Standards

03

Article 3-13

Entryway Feature Standards (EF)

03.08 EF-01: Entryway Feature Standards

This Entryway Feature Standards section applies to the following types of development:

A. Applicability:
   1. Residential: Residential developments with twenty (20) or more lots or units shall be required to establish an entryway feature. Residential developments with less than twenty (20) lots or units may establish an entryway feature.
   2. Non-residential: Non-residential developments with more than eight (8) lots, or with private streets shall be required to establish an entryway feature. Non-residential developments that have eight (8) lots or less or that do not have private streets may establish an entryway feature.

B. Location: Entryway features shall be located at primary vehicular entrances to a development, but shall not be located within any right-of-way.

C. Quantity and Size: The quantity and size of entryway features shall depend on the number of entrances and classification of the street where the entrance is located.
   1. Residential:
      a. Residential developments with less than twenty (20) lots or units shall be permitted one (1) entryway feature. The identification portion (i.e. the subdivision's name) of the entryway feature shall not exceed twenty (20) square feet in area; or if matched entryway features are used flanking the entrance, each identification portion shall not exceed fifteen (15) square feet (i.e. cumulatively 30 square feet).
      b. Residential developments with twenty (20) or more lots or units shall be permitted one (1) entryway feature. The identification portion (i.e. the subdivision's name) of the entryway feature shall not exceed forty (40) square feet in area; or if matched entryway features are used flanking the entrance, each identification portion shall not exceed twenty-five (25) square feet (i.e. cumulatively 50 square feet).
      c. Residential developments with 100 or more lots or units shall be permitted one (1) entryway feature for the primary entrance, and one (1) entryway feature for one (1) secondary entrance. The identification portion (i.e. the subdivision's name) of the primary entrance's entryway feature shall not exceed forty (40) square feet; or if matched entryway features are used flanking the entrance, each identification portion shall not exceed twenty-five (25) square feet (i.e. cumulatively 50 square feet). The identification portion of the secondary entrance's entryway feature shall not exceed twenty (20) square feet; or if matched entryway features are used flanking the entrance, each identification portion shall not exceed fifteen (15) square feet (i.e. cumulatively 30 square feet).
   2. Non-residential:
      a. Non-residential developments with four (4) or less lots or that do not have private streets shall be permitted one (1) entryway feature. The identification portion (i.e. the development's name) of the entryway feature shall not exceed twenty (20) square feet in area; or if matched entryway features are used flanking the entrance, each identification portion shall not exceed fifteen (15) square feet (i.e. cumulatively 30 square feet).
      b. Non-residential developments with more than four (4) lots and private streets shall be permitted one (1) entryway feature. The identification portion (i.e. the development's name) of the entryway feature shall not exceed forty (40) square feet in area; or if matched entryway features are used flanking the entrance, each identification portion shall not exceed twenty-five (25) square feet (i.e. cumulatively 50 square feet).

D. Landscaping: The identification portion (i.e. the subdivision or development's name) of the entryway feature shall be significantly subordinate to the landscaping.
Erosion Control Standards (EC)

3.09 EC-01: Erosion Control Standards

This Erosion Control Standards section applies to the following types of development:

A. Cross-reference: All proposed subdivisions shall be in compliance with the Title V: Chapter 54 Stormwater Management in the Town of Avon Code of Ordinances.

B. Permits:
   1. Site Improvement Permit: No changes shall be made in the contour of the land, nor shall grading, or excavating begin until an Stormwater Pollution Prevention Plan has been reviewed and a Site Improvement Permit has been issued by the MS4 Coordinator. (See Title V: 54.04 Town of Avon Code of Ordinances)
   2. Rule 5 Permit: Any development over one (1) acre shall obtain a Rule 5 Permit from the Indiana Department of Environmental Management.

C. Off-site Sedimentation: Whenever sedimentation is caused by stripping of vegetation, regrading, or other development activities, it shall be the responsibility of the applicant to remove sedimentation from all adjoining surfaces, drainage systems, and watercourses, and to repair any damage. This work shall be done at the applicant's expense.

D. Fill Material: All fill material shall be compacted to meet the specifications in the Town of Avon Construction Standards.
   1. Off-site Fill Material: Off-site fill material shall be free of environmentally hazardous materials (i.e. clean fill). The source of fill material shall be identified upon request of the MS4 Coordinator or Zoning Administrator.
   2. Organic Material: Detrimental amounts of organic material shall not be permitted in fill material.
   3. Irreducible Material: No rock or similar irreducible material with a maximum dimension greater than twelve (12) inches measured through a cross-section of the material shall be buried or placed in fills unless included and approved as part of the Site Improvement Permit.
   4. Stockpiling of Fill Material: Stockpiling of fill material shall not occur more than one (1) year beyond the expiration of a Secondary Plat. A mass excavation and grading bond in the amount of 110% of the total earthwork costs associated with a subdivision section shall be submitted by the builder upon the recording of the Final Plat.

E. Health, Safety and Welfare: If the MS4 Coordinator, Avon Public Works Director, or Zoning Administrator determines that any existing excavation, embankment, or fill is hazardous, the property owner or the owner's agent shall be notified in writing and shall, within the period specified, repair or eliminate the hazard or be subject to Chapter 19: Enforcement, in the Town of Avon Zoning Ordinance.

F. Disturbance of Protected Areas: If any “protected” area is driven over, altered, disturbed, or damaged in any way, the applicant or property owner shall be subject to the enforcement provisions of Chapter 19: Enforcement, in the Town of Avon Zoning Ordinance.
3.10 FP-01: Floodplain Standards

This Floodplain Standards section applies to the following types of development:

A. Base Flood Elevation:
   1. Within Special Flood Hazard Areas: The base flood elevation shall be identified on all Final Plats containing lands within a Special Flood Hazard Area (SFHA) and submitted for approval.
   2. Larger Developments: Base flood elevation data shall be provided for proposed subdivisions encompassing either five (5) or more acres or fifty (50) or more lots.

B. Design:
   1. Minimize Flood Damage: All proposed subdivisions shall be designed to minimize flood damage, including having electric and communication utilities located and constructed to minimize the risk of service interruption.
   2. Maintain Access to All Lots: The street network within a subdivision shall be designed to prevent flood water from potentially cutting-off accessibility to any lot within the subdivision. Particularly, designs should not allow floodplains or areas where localized flooding can cover roads resulting in a loss of passenger vehicle access to lots.
   3. Drainage: All proposed subdivisions shall have adequate drainage provided to reduce localized flooding, substantial ponding, and flood hazards.

C. Evacuation Plan: All subdivisions located entirely or partially within a Special Flood Hazard Area (SFHA) identified as an "A Zone" on the Flood Insurance Rate Maps shall develop an evacuation plan for those lots located in the Special Flood Hazard Area (SFHA) and that would be impacted by a flood event. The evacuation plan shall be filed with and approved by the appropriate emergency management authorities.
3.11 **IB-01: Intensity Bonus Standards - Low Incentive**

This Intensity Bonus Standards section applies to the following types of development:

A. "Low" Intensity Bonus Applicability: A subdivision that meets the prerequisites listed for the applicable type of subdivision and that commits to all of the below listed standards shall be eligible for a "low" intensity bonus as outlined in the table labeled "Intensity Bonus for Compliance with Incentive Standards" in the applicable subdivision type in Article 2: Subdivision Types.

B. Required Standards to Receive Intensity Bonus: The minimum required standards that shall be committed to by the developer in order to receive an intensity bonus are listed below.

1. **Minor Amenity Center:** The subdivision shall have one (1) of the amenities as described in Section 3.03(B)(1) through Section 3.03(B)(7).

2. **Architectural Features:** At least eighty percent (80%) of all dwelling units in the development shall:
   a. Utilize brick masonry on seventy-five percent (75%) of the front façade and fifty percent (50%) of each side and rear façade, excluding window and door openings, or
   b. Utilize fiber-cement siding and brick or stone masonry on 100% of all facades, excluding window and door openings.

3. **Garage Orientation:**
   a. Utilize side-loading (i.e. courtyard garages or side yard oriented garages) or rear-loading garages on at least sixty percent (60%) of all dwelling units.
   b. Front-loading garages shall not project forward of the main living area of the dwelling unit by more than six (6) feet.

4. **Facades Facing Perimeter Streets:** All lots with façades that face a perimeter street right-of-way shall have the same exterior window treatments (e.g. shutters and window trim) that are used on the front façade and at least one (1) of the following features. (Facades facing a perimeter street right-of-way yet separated by easements and common areas are subject to these requirements.)
   a. A rear façade offset at least four (4) feet from the plane of the rear façade and across at least forty percent (40%) of the rear façade.
   b. An all-brick chimney that is offset from the plane of the rear façade by at least two (2) feet.
   c. A sunroom or screen porch that is at least twelve (12) feet by twelve (12) feet in area.

5. **Minimum Windows:** All dwelling units shall have at least one (1) window per floor on each side elevation and two (2) windows per floor on the front and rear elevation.

6. **Floor Plans and Elevations:**
   a. Minimum Number: At least ten (10) unique floor plans and/or elevations shall be utilized within any single subdivision, of which there shall be at least four (4) unique floor plans and four (4) unique elevation. Unique floor plans shall not include mirrored floor plans, minor variation in wall configuration, changes in room's use, and the like.
   b. Adjacency: Two (2) significantly similar floor plans shall not be utilized contiguous to, directly across the street from or directly behind any given lot. Significantly similar shall include mirrored floor plans, minor variation in wall configuration, changing a room's use, and the like.
   c. Proximity: Two (2) significantly similar floor plans shall not be utilized within two (2) properties of the subject lot unless the exterior appearance is significantly different through variations in five (5) or more of the following: roof design, mix of exterior wall materials, siding color, brick color, architectural features, garage door location, window sizes, window quantity, window location, or mirroring of the floor plan.

C. **Proposed Standards:** An applicant may propose an alternative commitment that clearly meets or exceeds the required standards listed above. The proposed standards shall be presented to the Plan Commission in a meeting independent of and prior to the final approval for the proposed development. The proposal shall include designs and drawing that clearly feature how the proposed standards will result in a high quality aesthetic and anti-monotony throughout the development. The Plan Commission has full discretion to determine and interpret if a proposal meets or exceeds the required minimum standards. If the Plan Commission denies the proposal, the applicant may then choose to present a new proposal, meet the anti-monotony standards in this section, or not pursue incentives.

D. **Additional Amenity Center Standards:** The standards in Section 3.03(C), Section 3.03(D), Section 3.03(E), and Section 3.03(F) shall apply to any amenity center used to meet the intensity bonus standards.
Intensity Bonus Standards (IB)

3.12 IB-02: Intensity Bonus Standards - High Incentive

This Intensity Bonus Standards section applies to the following types of development:

A. "High" Intensity Bonus Applicability: A subdivision that meets the prerequisites listed for the applicable type of subdivision and that commits to all of the below listed standards shall be eligible for a "high" intensity bonus as outlined in the table labeled "Intensity Bonus for Compliance with Incentive Standards" in the applicable subdivision type in Article 2: Subdivision Types.

B. Required Standards to Receive Intensity Bonus: The minimum required standards that shall be committed to by the developer in order to receive an intensity bonus are listed below.

1. Extra Open Space: The subdivision shall have an additional ten percent (10%) open space (e.g. going from a required minimum of 10% up to 20%).

2. Major Amenity Center: The subdivision shall have one (1) of the amenities listed below:
   a. Enhanced clubhouse as described in Section 3.03(B)(4),
   b. Nature center as described in Section 3.03(B)(5),
   c. Swimming pool as described in Section 3.03(B)(6),
   d. Indoor playground as described in Section 3.03(B)(7),
   e. Neighborhood park and standard clubhouse as described in Section 3.03(B)(1) and Section 3.03(B)(3), or
   f. Sport court and standard clubhouse as described in Section 3.03(B)(2) and Section 3.03(B)(3).

3. Architectural Features: At least eighty percent (80%) of all dwelling units in the development shall:
   a. Utilize brick masonry on seventy-five percent (75%) of the front facade and fifty percent (50%) of each side and rear facade, excluding window and door openings, or
   b. Utilize fiber-cement siding and brick or stone masonry on 100% of all facades, excluding window and door openings.

4. Garage Orientation:
   a. Utilize side-loading or rear-loading garages on at least sixty percent (60%) of all dwelling units.
   b. Front-loading garages shall not project forward of the main living area of the dwelling unit by more than six (6) feet.

5. Facades Facing Perimeter Streets: All lots with façades that face a perimeter street right-of-way shall have the same exterior window treatments (e.g. shutters and window trim) that are used on the front facade and at least one (1) of the following features. (Facades facing a perimeter street right-of-way yet separated by easements and common areas are subject to these requirements.)
   a. A rear facade offset at least four (4) feet from the plane of the rear facade and across at least forty percent (40%) of the rear façade.
   b. An all-brick chimney that is offset from the plane of the rear façade by at least two (2) feet.
   c. A sunroom or screen porch that is at least eleven (11) feet by eleven (11) feet in area.

6. Minimum Windows: All dwelling units shall have at least one (1) window per floor on each side elevation and two (2) windows per floor on the front and rear elevation.

7. Trail Connection: When the development is within one-quarter (¼) mile of an existing trail as denoted on the Town of Avon Bicycle and Pedestrian Master Plan, the applicant shall install the connecting pedestrian facility to the trail.

8. Floor Plans:
   a. Minimum Number: At least eight (8) unique floor plans shall be utilized within any single subdivision. Unique floor plans shall not include mirrored floor plans, minor variation in wall configuration, changes in a room's use, and the like.
   b. Adjacency: Two (2) significantly similar floor plans shall not be utilized contiguous to, directly across the street from or directly behind any given lot. Significantly similar shall include mirrored floor plans, minor variation in wall configuration, changing a room's use, and the like.
   c. Proximity: Two (2) significantly similar floor plans shall not be utilized within two (2) properties of the subject lot unless the exterior appearance is significantly different through variations in five (5) or more of the following: roof design, mix of exterior wall materials, siding color, brick color, architectural features, garage door location, window sizes, window quantity, window location, or mirroring of the floor plan.
C. **Proposed Standards:** An applicant may propose an alternative commitment that clearly meets or exceeds the required standards listed above. The proposed standards shall be presented to the Plan Commission in a meeting independent of and prior to the final approval for the proposed development. The proposal shall include designs and drawing that clearly feature how the proposed standards will result in a high quality aesthetic and anti-monotony throughout the development. The Plan Commission has full discretion to determine and interpret if a proposal meets or exceeds the required minimum standards. If the Plan Commission denies the proposal, the applicant may then choose to present a new proposal, meet the anti-monotony standards in this section, or not pursue incentives.

D. **Additional Amenity Center Standards:** The standards in Section 3.03(C), Section 3.03(D), Section 3.03(E), and Section 3.03(F) shall apply to any amenity center used to meet the intensity bonus standards.
Lot Establishment Standards (LT)

3.13 LT-01: Residential Lot Establishment Standards

This Lot Establishment Standards section applies to the following types of development:

A. Project Applicability: The shape, location, and orientation of lots within a residential subdivision shall be appropriate for the uses proposed and be consistent with the intent of the subdivision as indicated in Article 2: Subdivision Types. Lot sizes shall also be consistent with those required by the appropriate zoning district in the Town of Avon Zoning Ordinance, or as adjusted by intensity bonuses.

B. Lot Design: Lots shall meet the following conditions.

1. Interior Street Frontage: Residential lots shall be laid out to front interior streets, which shall include approved frontage streets. Residential lots shall not front onto a perimeter street.
2. Side Lot Lines: Residential lots shall have side lot lines that are within fifteen degrees (15°) of a right angle to the street on to which the lot fronts.
3. Corner Lots: Residential corner lots shall be twenty-five percent (25%) larger than the minimum required lot area. This shall include the lots nearest to the corner of a development entrance and a perimeter street. When the minimum required lot area is greater than 25,000 square feet, no additional lot area shall be required for corner lots.
4. Through Lots: Through lots are discouraged and shall only be permitted if the lot does not establish access to both frontages.
5. Special Lots: Residential lots abutting a watercourse, drainage way, channel, or stream shall be twenty-five percent (25%) larger than the minimum lot area. This additional space shall be allocated on the side of the lot that abuts the water feature as a “no-build” zone, and recorded on the plat and recorded on the lot.
6. Flexibility: In order to accommodate lots along curved roadways, to preserve mature trees, or to avoid complex geographic conditions, up to ten percent (10%) of the lots in a subdivision may be allowed to reduce the lot area and/or lot width by up to fifteen percent (15%). This flexibility is also applicable to lots utilizing intensity bonus standards listed in Article 2: Subdivision Types.
Lot Establishment Standards (LT)

3.14 LT-02: Non-residential Lot Establishment Standards

This Lot Establishment Standards section applies to the following types of development:

A. Project Applicability: The shape, location, and orientation of lots within a non-residential subdivision shall be appropriate for the uses proposed and be consistent with the intent of the subdivision as indicated in Article 2: Subdivision Types. Lot sizes shall also be consistent with those required by the appropriate zoning district in the Town of Avon Zoning Ordinance.

B. Lot Design: Lots shall meet the following conditions.

1. Interior Street Frontage: Non-residential lots shall be laid out to front interior streets, or frontage streets. Individual lots shall only be laid out to have access onto perimeter streets and to an arterial street if expressly permitted by the Avon Public Works Director.

2. Side Lot Lines: Non-residential lots shall have side lot lines that are within fifteen degrees (15°) of a right angle to the street the lot fronts, and side lot lines shall extend in a straight line from the street for at least twenty percent (20%) of the property’s depth.

3. Corner Lots: Non-residential corner lots shall be ten percent (10%) larger than the minimum required lot area indicated by the applicable zoning district. If there is a maximum lot area, that maximum may also be increased by ten percent (10%).

4. Special Lots: Non-residential lots abutting a watercourse, drainage way, channel, or stream shall be twenty-five percent (25%) larger than the minimum required lot area indicated for the zoning district. This space shall be allocated on the side of the property that abuts the water feature as a “no-build” zone recorded on the plat and title.

5. Cohesive Design: Non-residential developments (e.g. shopping centers, commercial areas, and office parks) shall be designed holistically as a single project no matter how many lots are generated. Cross-access easements to allow access between parking lots shall be included where appropriate or necessary. See Section 3.07: Easement Standards for details on Cross-access Easements.

6. Sensitivity to Context: Non-residential developments shall be laid out to be very sensitive to neighboring residential developments, if built, or residential zoning districts if undeveloped.

7. Flexibility: In order to accommodate lots along curved roadways, to preserve mature trees, or to avoid complex geographic conditions, up to ten percent (10%) of the lots in a subdivision may be allowed to reduce the lot area and/or lot width by up to fifteen percent (15%).
3.15 MM-01: Monument and Marker Standards

This Monument and Marker Standards section applies to the following types of development:

A. **Installation of Monuments and Markers:** All monument and marker improvements shall be installed per 865 IAC 1-12-18 and the Town of Avon Construction Standards.

B. **Centerline Monuments:** Monuments conforming to 865 IAC 1-12-18(a)(2) shall be set on street center lines at the beginning and end of curves and at the intersection of center lines. When it is not practical to set a centerline monument in accordance with 865 IAC 1-12-18(a)(2), a centerline monument conforming to 865 IAC 1-12-18(a)(3) shall be set.

C. **Reporting:** Upon completion of the development, as-built drawings shall be submitted by a licensed and bonded surveyor showing where monuments and markers were placed. As-built drawing shall also be submitted in the Town's required digital format to the Avon Public Works Director. This shall be accompanied by an affidavit by the surveyor certifying that the monuments and markers are still accurately in place, and were not removed, moved, or buried such that they do not accurately denote surveyed lines or cannot be easily located.
3.16 **OP-01: Open Space Standards**

This Open Space Standards section applies to the following types of development:

A. **Applicability:** The minimum open space required for each type of subdivision shall be as indicated on the two-page layouts in Article 2: Subdivision Types.

B. **Ownership:** Open space areas shall retain private ownership by an owners' association or similar joint ownership of all associated properties in perpetuity.

C. **Qualifying Areas:** The following features count toward the minimum open space requirements:
   1. **Conservation Areas:** Any required preservation or conservation area.
   2. **Man-made Water Features:** Any man-made water feature, including a retention facility, if it supports aquatic life and provides native habitat that meets the following conditions:
      a. A surface area at normal pool elevation of at least 32,670 square feet; and
      b. A buffer area around the perimeter of the water feature that is at least fifty (50) feet in width that is open space. The buffer area shall be planted and maintained as wildlife habitat.
   3. **Man-made Dry Detention Facilities:** Any man-made storm water dry detention facility that meets the following conditions:
      a. At least 10,890 square feet of flat bottom area;
      b. Depth of the detention facility shall not exceed five (5) feet from top of bank;
      c. Slopes within the detention facility shall be four horizontal units to one vertical unit (4:1 ratio) or less steep;
      d. A buffer area around the perimeter of the facility that is at least twenty-five (25) feet from the top of bank that is open space. The buffer area (and facility) shall be planted and maintained as usable area. This includes use of prairie grasses, native species, native ground cover, or lawn grass. Tree planting shall not be within the basin area or on the slopes of the bank; and
      e. Anti vortex or anti-entrapment design to outlet water from the detention facility shall be utilized.
   4. **Regulated Floodplain:** Fifty percent (50%) of any floodplain for a natural stream.
   5. **Required Perimeter Landscaping:** Fifty percent (50%) of the perimeter landscaping areas required in Section 3.19: Perimeter Landscaping.
   6. **Other:** Other common areas set aside to meet open space requirements.

D. **Mixed-use Developments:** Up to seventy-five percent (75%) of the required open space for one (1) sub-area of a development may be shifted to another sub-area within the same overall development with the approval of the Plan Commission.

E. **Waiver Authority:** The Plan Commission has the authority to grant a waiver allowing required open space to be provided off-site in the form of a public park facility.
3.17 OA-01: Owners’ Association Standards

This Owners’ Association Standards section applies to the following types of development:

A. Applicability: Any development with common area, private streets, shared parking, amenity centers, retention pond, detention pond, and the like shall meet the Owners’ Association Standards.

B. Establishment of Owners’ Association:
1. Perpetuity: An owners’ association shall be created in perpetuity to make decisions about and to maintain all common property and/or common facilities.
2. Organization: An owners’ association shall be a legally incorporated entity or shall be created by other legal mechanism which provides shared ownership or shared responsibility of common property and/or common facilities. A board of directors or other means for representation in decision-making shall be established.
3. Recording of Legal Mechanism: The legal mechanism binding all property owners or vested parties shall be recorded with the Hendricks County Recorder, and shall be cross-referenced to each applicable lot or property.
4. Declaration of Covenants: The owners’ association shall be responsible for the administration of any covenants utilized to further restrict improvements and uses in the development. The "Declaration of Covenants" shall be recorded with the Hendricks County Recorder and prior to selling a lot or unit. Amendments to the covenants shall not be permitted for thirty (30) years for the day the subdivision received final plat approval.
5. Commitments or Conditions of Approval: Any covenant language that resulted as a commitment or condition of approval shall be included in the covenants or other legal document, and shall be clearly denoted as non-amendable by the owners’ association in perpetuity.
6. Association Fee: An association fee or other financial mechanism shall be included in the legal mechanism and be equal to the financial needs of the owners' association to maintain common property and/or common facilities, and to accumulate a reserve account for long-term large expenditures, emergencies, and contingencies.

C. Contractual Obligations: Prior to the transition from the developer being responsible for common property and/or common facilities to the owner's association being responsible for common property and/or common facilities, the developer shall not enter into any contractual obligation on behalf of the owners' association that exceeds one (1) year. Once the owners' association is responsible, the renewal of such a contract shall be at the discretion of the owners' association.

D. Enforcement: Failure of the owners' association to maintain an effective legal mechanism or failure of the owners' association to fulfill its responsibilities within that legal mechanism shall be deemed a violation of this Subdivision Control Ordinances and may be subject to Chapter 19: Enforcement, in the Town of Avon Zoning Ordinance.
3.18 PN-01: Pedestrian Network Standards

This Pedestrian Network Standards section applies to the following types of development:

A. Applicability: Developments shall integrate an interior and exterior pedestrian network comprised of concrete sidewalks and/or asphalt sidepaths for pedestrian transportation and recreation. This network shall be consistent with the Avon Bicycle and Pedestrian Plan.

1. Required: Details about when and where sidewalks are required shall be as indicated on the two-page layout for each subdivision type in Article 2: Subdivision Types and the Avon Bicycle and Pedestrian Plan. If not indicated, the Zoning Administrator shall determine the appropriate sidewalk or sidepath requirements.
   a. To the extent possible, sidewalks or sidepaths shall be located one (1) foot inside the right-of-way to be dedicated to the Town of Avon. If utility poles, trees, or other features complicate installation, then the sidewalk or sidepath may extend into common areas or private property if a pedestrian easement is created and executed.
   b. Sidewalks shall be spaced away from the curb to create a tree plot and to provide pedestrian separation from vehicles. The minimum tree plot width shall be as indicated on the two-page layout for each subdivision type in Article 2: Subdivision Types.

2. Width: The minimum sidewalk or sidepath width shall be per the Town of Avon Engineering and Construction Standards.
Perimeter Landscaping Standards (PL)

3.19 PL-01: Perimeter Landscaping Standards

This Perimeter Landscaping Standards section applies to the following types of development:

A. Applicability: Perimeter landscaping shall be installed as indicated in the minimum perimeter landscaping standards on the two-page layout for each subdivision type in Article 2: Subdivision Types. If not indicated, the Zoning Administrator shall determine the appropriate perimeter landscaping requirements for the development.

B. Ownership: Perimeter landscaping areas shall retain private ownership whether that be a single land owner or an owners' association.

C. Landscaping Design:
   1. Purpose: Perimeter landscaping shall be installed to provide a natural looking and softened edge around the subdivision using plant material. In subdivisions where the backs of structures are visible from perimeter streets, it is also intended to further separate those structures from the perimeter street. It is not intended to be a buffer or screen. Therefore, planting patterns that are ridged rows or repetitive patterns shall be discouraged and disallowed. Likewise, evergreen trees are capped in order to prevent soil acidity which can compromise the health of turf grass, woody shrubs, and deciduous trees.
   2. Size:
      a. Canopy Trees: The minimum caliper of required canopy trees shall be 1 ½ inches.
      b. Ornamental and Understory Trees: The minimum caliper of required ornamental and understory trees shall be 1 ½ inches.
      c. Evergreen Trees: The minimum height of required evergreen trees shall be four feet after planting.
   3. Exemption: Perimeter landscaping is not required where there is a perpendicular utility easement, trail easement, street right-of-way, or the like. Perimeter landscaping is also not required when the perimeter is tangent to a riparian corridor or a park.
   4. Plantings: Trees and bushes shall be provided at a rate of:
      a. Canopy Trees: A minimum of two (2) canopy trees shall be planted per 100 lineal feet of subdivision perimeter when the perimeter landscaping area is designated to be ten (10) feet or less in width. One (1) additional canopy tree per 100 lineal feet shall be required for each additional five (5) feet of required perimeter landscaping width. Under no circumstances shall the total number of required canopy trees per 100 lineal feet exceed five (5) trees.
         • Example 1: When the required perimeter landscaping area is twenty (20) feet in width, a minimum of four (4) canopy trees would be required per 100 lineal feet.
         • Example 2: When the required perimeter landscaping area is forty (40) feet in width, the total number of required canopy trees per 100 lineal feet would be capped at five (5).
      b. Ornamental, Understory, or Evergreen Trees: A minimum of three (3) ornamental, understory, or evergreen trees (or combination thereof) shall be planted per 100 lineal feet of subdivision perimeter when the perimeter landscaping area is designated to be ten (10) feet or less in width. One (1) additional ornamental, understory, or evergreen tree per 100 lineal feet shall be required for each additional five (5) feet of required perimeter landscaping width. Under no circumstances shall the total number of required ornamental, understory, or evergreen trees per 100 lineal feet exceed six (6) trees.
         • Example 1: When the required perimeter landscaping area is twenty (20) feet in width, a minimum of five (5) ornamental, understory, or evergreen trees (or combination thereof) would be required per 100 lineal feet.
         • Example 2: When the required perimeter landscaping area is forty (40) feet in width, the total number of required ornamental, understory, or evergreen trees (or combination thereof) per 100 lineal feet would be capped at six (6).
Perimeter Landscaping Standards (PL)

c. Woody Shrubs: A minimum of five (5) woody shrubs shall be planted per 100 lineal feet of subdivision perimeter when the perimeter landscaping area is designated to be ten (10) feet or less in width. Three (3) additional woody shrubs per 100 lineal feet shall be required for each additional five (5) feet of required perimeter landscaping width. Under no circumstances shall the total number of required woody shrubs per 100 lineal feet exceed fourteen (14) woody shrubs.
   • Example 1: When the required perimeter landscaping area is twenty (20) feet in width, a minimum of eleven (11) woody shrubs would be required per 100 lineal feet.
   • Example 2: When the required perimeter landscaping area is forty (40) feet in width, the total number of required woody shrubs per 100 lineal feet would be capped at fourteen (14).

d. Maximum Number of Evergreen Trees: Under no circumstances shall evergreen trees exceed forty percent (40%) of all plant material installed by elective or to meet the minimum standards.

e. Design and Spacing: All required minimums and elective additional plantings shall be designed such that vegetation will look natural. Patterns found in nature, clusters of the same or complementary species, variations in spacing from one another, and variation in spacing within the width of the perimeter landscaping area should be used. Spacing can allow complementary trees to grow together over time.

f. Limits on Location: Required planting shall not be installed on or near the crown of mounds when the mound has a four horizontal units to one vertical unit (4:1) ratio or steeper slope. However, if the development elects to install irrigation and commit to provide water throughout warm weather months to vegetation on mounds they shall be permitted. Elective additional plantings may be planted on or near the crown of mounds.

5. Fences, Walls, or Landscape Mounds: Fences, walls, and/or landscape mounds may be integrated with the required plantings if the following conditions are met:
   a. Fences shall be high quality, ornamental, and non-privacy in construction and design. Fences shall be constructed of weather resistant wood species (not treated lumber), composite wood products, pvc, or metal; and be at least thirty (30) inches in height, but not over forty-eight (48) inches in height.
   b. Walls shall be high quality and shall be constructed from natural stone, cultured stone, faux limestone, brick masonry, and other decorative and finish facade-grade masonry material. Wall shall not be constructed using cinder block and the like, or other structural block as a finished face. Wall shall also not be constructed from stucco, EFIS, or the like. Wall shall not exceed seventy-two (72) inches in height based on the pre-development grade.
   c. Landscape mounds may be combined with landscape material, fences and walls. If used, the crown of a landscape mound shall not exceed six (6) feet in height from the pre development grade, with a side slope not to exceed a three horizontal units to one vertical unit (3:1) ratio. Continuous mounds shall not be permitted (i.e. levee-like mounds).

6. Location: All required landscaping shall be located within a landscape easement.

D. Maintenance: Any landscaping required as a component of a subdivision approval shall be the responsibility of the Owners' Association. Any proposed alteration to required landscaping shall be subject to Plan Commission approval.

E. Qualifying as Required Open Space: Fifty percent (50%) of the perimeter landscaping areas may count towards open space required in Section 3.16: Open Space Standards.
3.20 PD-01: Plat Document Standards

This Plat Document Standards section applies to the following types of development:

A. Applicability: Plat document information shall be included on all plats.

B. Information Required on Plats:

1. Signature Block: The following signature block shall be included on all plats:

   I, (President), President, of the Advisory Plan Commission, Town of Avon, Hendricks County, Indiana, do hereby certify that the above plat and dedication was approved by the Town of Avon, Indiana, for filing in the Records Office of Hendricks County, Indiana, on the ______ day of ______________, 20____.

   ______________________________ (Name of President), President

   ADVISORY PLAN COMMISSION, TOWN OF AVON, INDIANA

   ATTEST:

   ______________________________ (Name), Director of Planning and Building

   PLANNING DEPARTMENT, TOWN OF AVON, INDIANA

2. Dedication Statement for Streets and Pedestrian Facilities: The following dedication statement shall be included on all plats that are dedicating streets to the Town of Avon:

   That I do hereby dedicate for public use and benefit forever the streets/alleys shown hereon for all public purposes including but not limited to all street and pedestrian facility purposes and utilities, and the right of the Town of Avon, its assigns, and utilities to lay, install, operate, maintain, repair, replace and remove and reconstruct any and all street, pedestrian, or utility facilities necessary or useful in providing services. Utilities include but are not limited to water lines, wastewater lines, storm drainage and stormwater lines, gas lines, communication facilities, utility poles, electrical power lines, equipment, cabinets, closures, manholes, conduit, cables, lines, and appurtenances.

3. Dedication Statement for Easements: The following dedication statement shall be included on all plats that are dedicating easements to the Town of Avon or a utility provider:

   The easements shown on this plat are hereby granted and dedicated and reserved for the mutual use and accommodation of the Town of Avon and/or any granted public utility service provider desiring to use the easement for public or private utilities, including: water lines, wastewater lines, storm drainage and stormwater lines, gas lines, communication facilities, utility poles, electrical power lines, equipment, cabinets, closures, manholes, conduit, cables, lines, and appurtenances. All grantees shall have the right to remove and keep removed all or part of any structure, building, fence, tree, shrub or other improvement, growth, or obstruction which may in any way endanger or interfere with the construction, maintenance, operation or efficiency of the respective utility in, on, or under said easement strips. The Town of Avon and all granted public utilities shall at all times have the full right of ingress and egress to and from and upon said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of the respective systems without the necessity at any time of procuring the permission of anyone.

4. Dedication Statement for Private Easements: Any private utility or similar which requires or requests the dedication of an easement shall negotiate and establish said easement outside the regulations of this Subdivision Control Ordinance. Nothing in this Subdivision Control Ordinance shall regulate or necessitate the granting of an easement to a private utility.
5. **Private Streets:** The following statement shall be included on all plats that contain private streets:

 дело (Developer) hereby binds itself, its successors, and assigns to construct and maintain all streets, alleys, pedestrian facilities, drainage structures and drainage facilities located under, through, and on the access easement in the subdivision shown on this plat in accordance with the requirements, standards, and specifications of the Town of Avon. All such improvements shall be subject to the right of inspection and approval by the Avon Public Works Director or Public Works department.

The streets and alleys shown on this plat as access easements represent private streets and alleys. By acceptance of a deed conveying title to any lot in this subdivision, the owner thereof shall be deemed to have agreed and acknowledged as follows:

a. The Town of Avon has no responsibility or liability to make any repairs to such streets, alleys, pedestrian facilities, drainage structures and drainage facilities located in the access easement.

b. So long as such streets and alleys are private, the responsibility for maintenance and replacement thereof shall fall on the Owner's Association (the “Association”), its successors and assigns, or on the owners of the lots in this subdivision.

c. Neither the property owners within this subdivision nor the Association nor any other association or other organization or entity representing them shall have the right to dedicate (whether by voluntary or involuntary act or omission) such private streets and alleys to the Town of Avon unless and until the Town of Avon has inspected such streets and alleys and determined that, at the time in question, they meet the Town of Avon’s Standards. Under no circumstances whatsoever shall the Town of Avon be required to accept responsibility for the maintenance of such streets and alleys until after the Town of Avon has inspected same and determined that they meet the Town of Avon’s Standards and further determined in its absolute discretion that it desires to accept such responsibility. If the Town of Avon desires to accept a dedication of said streets and alleys and inspects the streets and alleys and determines that they do not meet the Town of Avon’s Standards, the Town of Avon shall not accept such dedication until the Owner’s Association, its successors or assigns, or the owners of the lots in this subdivision make, at the owner’s or the Owner’s Association expense, all repairs required by the Town of Avon to bring the streets and alleys up to the Town of Avon Construction Standards.

d. The provisions hereof shall be binding upon and enforceable against all property owners in this subdivision and the Association, its successors or assigns.

e. These covenants and restrictions herein set forth shall run with the land and be binding on the owners, their successors and assigns, and all parties claiming by, through and under them shall be taken to hold, agree and covenants with the owners and their successors in title, and with each of them, to conform to and observe all restrictions and covenants herein, and said covenants and restrictions shall survive any replatting of a part of this property. Upon replatting of all or part of this property, the Town of Avon may require any lawful, similar or additional restrictions and covenants as it may require any lawful, similar or additional restrictions and covenants as it may see fit. These covenants and restrictions shall terminate when all the access easements shown on this plat are included within a replat of all or part of this property and are dedicated as public streets and/or alleys.

f. Invalidation of any word, phrase, sentence, paragraph, covenant or restriction by court judgment or otherwise, shall not affect the validity of the other covenants or restrictions contained herein.

g. If the owner or owners should open the private streets to the public, such shall be considered a temporary license only. The owner or owners, through the Owner’s Association, reserve the right to close the street to the public at any time prior to formal dedication of the street to the public, and acceptance of the same by the Town of Avon.
h. Until such time as the private streets shown herein are formally offered for dedication and formally accepted by resolution of the Avon Town Council, the owners of the lots shown hereon agree to release, indemnify, defend and hold harmless any governmental entity or utility for damages to the private street occasioned by the reasonable use of the private street by the governmental entity, and for damages to any party arising from the condition of said street. All governmental service vehicles, including, without limitation, law enforcement, fire, ambulance, schools, sanitation, building inspection, and health; and private or public utility providers shall have a right of access on, through, or under the private streets and alleys.

i. The owner or owners of any lot or lots within this subdivision hereby agree and recognize that the entire subdivision is benefited by the Town of Avon allowing the owners to maintain and control access to the private streets shown hereon; and that the Town of Avon is benefited by having the value of the property enhanced for ad valorem tax purposes and not being under any maintenance obligations with respect to the private streets and alleys. For purposes of enforcement of these covenants, these benefits shall constitute sufficient and valid considerations.

6. **Minor Amendment**: The following statement shall be included on all plats that have obtained minor amendment approval:

   **PLANNING DEPARTMENT STATEMENT**: This amended plat is hereby approved in accordance with the Town of Avon Subdivision Control Ordinance.

   ______________________ (Name), Director of Planning and Building
  
   **PLANNING DEPARTMENT, TOWN OF AVON, INDIANA**
   
   ______________________ Date
   
   **APPLICANT’S STATEMENT**: As the owner or agent for the owner, I hereby endorse and adopt this “Amended Plat” for the sole purpose of __________(Fill in this blank with the explanation and reason that authorized said amendments to said plat).

7. **Major Amendment**: The following statement shall be included on all plats that have obtained major amendment approval:

   **ADVISORY PLAN COMMISSION STATEMENT**: Amended plat approved by the Advisory Plan Commission of the Town of Avon, Indiana, on the ___________ day of __________, 20______.

   ______________________ (Name of President), President
   
   **ADVISORY PLAN COMMISSION, TOWN OF AVON, INDIANA**
   
   **ATTEST:**

   ______________________ (Name), Director of Planning and Building
   
   **PLANNING DEPARTMENT, TOWN OF AVON, INDIANA**

   **APPLICANT’S STATEMENT**: As the owner or agent for the owner, I hereby endorse and adopt this “Amended Plat” for the sole purpose of __________(Fill in this blank with the explanation and reason that authorized said amendments to said plat).

C. **Plat Attachments**: A transmittal letter is required to be submitted with each plat or plat set to be signed. The letter shall list the name of the subdivision/development as well as the name of the and contact information of the individual responsible for the plat.
3.21 PQ-01: Prerequisite Standards

This Prerequisite Standards section applies to the following types of development:

This Prerequisite Standards section applies to the following types of development:

A. Applicability: If any of the prerequisites do not appear for a particular type of subdivision in Article 2: Subdivision Types, then that prerequisite does not exist for that particular subdivision type.

1. Base Zoning: The base zoning of the parent tract for a subdivision shall be as indicated on the two-page layout for each type of subdivision in Article 2: Subdivision Types prior to consideration of the subdivision by the Plan Commission. If a parent tract is in multiple zoning districts, each of those zoning districts shall be listed.

2. Minimum Parent Tract: The minimum parent tract area shall be as indicated on the two-page layout for each type of subdivision in Article 2: Subdivision Types.

3. Maximum Parent Tract: The maximum parent tract area shall be as indicated on the two-page layout for each type of subdivision in Article 2: Subdivision Types.

4. Special Qualifications: All special qualifications indicated on the two-page layout for each type of subdivision in Article 2: Subdivision Types shall be met prior to consideration of the subdivision by the Plan Commission.
3.22 RC-01: Restrictive Covenant Standards

This Restrictive Covenants Standards section applies to the following types of development:

A. Project Applicability:
   1. **Restrictive Covenants Required**: A Declaration of Covenants that will apply to each lot within the subdivision shall be prepared and submitted for review as part of the application for subdivision approval.
   2. **Final Review**: The applicant shall provide a final copy of the Declaration of Covenants for review by the Zoning Administrator prior to recording.

B. Required Language: The following language shall be required in the Declaration of Covenants:
   1. **Subject Language**: Language required by the Town of Avon shall not be subject to amendment or removal without approval by the Avon Plan Commission. Waivers or variances to the language required by the Town of Avon shall only be granted by the Avon Plan Commission or the authority indicated.
   2. **Street Lighting**: When street lighting is installed, the Town of Avon shall not, now or in the future, be obligated to accept the lights as public property. The Town of Avon shall bear no financial responsibility for operation or maintenance costs associated with street lighting. The owners' association shall bear the cost of operation and maintenance. In the event the owners' association fails to maintain street lighting, the Town of Avon may make the improvements and assess each property for the project cost plus administration costs.
   3. **Retention Pond and Drainage Systems**: When a retention pond and/or other drainage systems are required or installed, the Town of Avon shall not, now or in the future, be obligated to accept them as public infrastructure or to maintain those facilities. The owners' association shall bear the cost of such maintenance. In the event the owners' association fails to maintain the retention pond and/or other drainage facilities, the Town of Avon may make the improvements and assess each property for the project cost plus administration costs. No fence, wall building, or other obstruction may be placed or maintained in an area designated on the plat as a drainage or utility easement unless approved by the Avon Public Works Director. There shall be no alteration of the grades or contours in easement area unless approved by the Avon Public Works Director.
   4. **Private Streets**: When private streets are installed, the Town of Avon shall not, now or in the future, be obligated to accept private streets as public property. The Town of Avon shall bear no financial responsibility for maintenance or replacement costs associated with private streets. The owners' association shall bear the cost of maintenance and replacement. In the event the owners' association fails to maintain private streets, the Town of Avon may make the improvements and assess each property for the project cost plus administration costs.
   5. **Sidewalks**: When sidewalks are installed outside of a right-of-way, the Town of Avon shall not, now or in the future, be obligated to accept the sidewalks as public property. The Town of Avon shall bear no financial responsibility for maintenance or replacement costs. The owners' association shall bear the cost of maintenance and replacement. In the event the owners' association fails to maintain the sidewalks, the Town of Avon may make the improvements and assess each property for the project cost plus administration costs.
   6. **Landscaping**: When landscaping installed in common areas or easements, the owners' association shall be responsible for maintaining the plant material in healthy condition, removal of dead or diseased vegetation, and/or replacement of landscaping, as necessary.
   7. **Right-of-way**: Once rights-of-way are platted, the Town of Avon obtains ownership of the area within the right-of-way and retains the right to reasonably remove any tree or shrub impeding necessary work to be performed by the Town of Avon and/or all public utilities, or other properly authorized users, regardless if the owners association is assigned financial, maintenance, or replacement responsibility. However, action by the Town of Avon shall not result in an unnecessary or unfair financial burden to the owners' association.
   8. **Regulation by the Town of Avon**: Each owner hereby agrees that the Town of Avon, Indiana, is authorized and empowered to require the owners' association and each owner, jointly and/or individually, to provide for the orderly maintenance and upkeep of the common areas. In the event that the Town of Avon, Indiana, or any agent thereof, determines that the common areas are being maintained in a manner which is dangerous or detrimental to the health, safety and welfare of the community, pursuant to the provisions of the Avon Town Code, the Town of Avon and its agents, may upon thirty (30) days' notice to the owners' association enter upon the common area and make any repairs or improvements to the common area which the Town of Avon and its agents deem necessary to remedy such conditions. Thereafter, the owners' association and each owner shall be obligated to pay to the Town of Avon its costs for all improvements, work, and/or labor, supplied or
furnished to the common areas. The obligation to pay said costs shall be a personal obligation of the owners' association and each owner, jointly and severally. All such costs shall be paid to the Town of Avon within fifteen (15) days of receipt from the Town of Avon, of a statement for such costs, which receipt shall be required to be served upon the President of the owners' association only. All individual owners hereby waiver notice of receipt of said statement for such costs. In order to secure payment at and after the due date, there shall arise a continuing lien and charge against each lot in favor of the Town of Avon, Indiana, the amount of which shall include costs and reasonable attorneys' fees to the extent permissible by law. The Town of Avon, Indiana, may bring an action at law against the owners' association and/or any owner, or foreclose a lien against any property owned by any owner. Neither the owners' association nor any owner may waive or otherwise escape liability for the cost incurred by the Town of Avon, Indiana, as described herein. The provisions of Article 3: Design Standards are not subject to amendment without approval of the Town of Avon.

C. Enforcement: Whenever a private covenant land use regulation imposes a greater restriction or a higher standard than is required by a provision of the Subdivision Control Ordinance, the Town is not obligated to enforce the provisions of such private covenants.
Storm Water Standards (SM)

3.23 SM-01 Storm Water Standards

This Storm Water Standards section applies to the following types of development:

A. **Applicability:** Subdivisions shall provide for the collection and management of all storm and surface water drainage.

B. **Cross-reference:**
   1. *Town of Avon's Zoning Jurisdiction:* Developments within the zoning jurisdiction of the Town of Avon shall meet or exceed the *Town of Avon Stormwater Management Ordinance.* (See Title V: Chapter 54 Stormwater Management in the *Town of Avon Code of Ordinances.*)
   2. *County:* Developments outside of the Town of Avon's municipal limits and developments accessing a county legal drain shall meet or exceed the standards of Hendricks County per the Hendricks County Surveyor’s office.
   3. *Construction:* Drainage facilities shall be constructed to meet or exceed the *Town of Avon Construction Standards.*

C. **Proposed Drainage Facilities:** Proposed drainage facilities shall meet the following conditions:
   1. *Location:* Proposed drainage facilities shall be located in common areas or on private property if the necessary drainage easements (or utility and drainage easements) are created and executed.
   2. *Design:* 
      a. Proposed retention pond or detention facilities shall have an access easement at least twenty (20) feet wide from at least one (1) public right-of-way for either public access or maintenance access. Said access easement may also be a drainage easement, but shall be obstacle free and graded for work trucks and earth moving equipment to be able to be conveyed to the drainage facility. If limited to maintenance access, the homeowner's association and its contractors, Hendricks County government, and Town of Avon government shall be named and granted rights to utilized the easement.
   3. *Inspection:* Proposed drainage facilities shall be inspected during construction by the Avon Public Works Director, or by a professional engineer at the expense of the applicant and certified that the standards within this Subdivision Control Ordinance and Title V: Chapter 54 in the *Town of Avon Code of Ordinances.* Inspection reports and a signed certification shall be submitted to the Public Works Director.

D. **Alternatives:** The applicant may propose a "Low Impact Design" solution that meets or exceeds the intent of the Storm Water Standards. The Plan Commission encourages low impact design, and will determine whether the proposed green stormwater management system meets or exceeds the Storm Water Standards. Any alternative solution shall be subject to Avon Public Works and Avon Storm Water Engineer review and approval.
3.24 **SA-01: Street and Access Standards; General**

This Street and Access Standards section applies to the following types of development:

A. **General**: All developments shall provide adequate access to the existing street network and allocate adequate areas for new streets that is consistent with the Thoroughfare Plan for the Town of Avon and all other applicable ordinances.

B. **Cross-reference**: All street improvements, private or public, shall be designed, constructed, and installed to meet or exceed the *Town of Avon Construction Standards*. This includes cul-de-sacs, passing blisters, acceleration lanes, and deceleration lanes.

C. **Design Principles**: Streets shall create conditions favorable to health, safety, convenience, and the harmonious development of the community; shall give consideration to connectivity to adjacent parcels; shall provide access to the Town of Avon's existing street network. All public streets and associated rights-of-way and all private streets and associated easements shall meet the following design criteria.

1. **Design Standards from Article 2: Subdivision Types and Appendix A**
   a. The minimum block length and maximum block length on local streets shall be as indicated on the two-page layout for each type of subdivision in Article 2: Subdivision Types.
   b. The minimum cul-de-sac length and maximum cul-de-sac length shall be as indicated in Appendix A.
   c. The minimum right-of-way for local streets shall be as indicated in Appendix A.
   d. The minimum street width shall be as indicated in Appendix A.
   e. Curb requirements shall be as indicated on the two-page layout for each type of subdivision in Article 2: Subdivision Types. If curb requirements are not indicated, the Zoning Administrator shall determine which type of curb is required, if any.
   f. Minimum tree plots shall be provided as indicated on the two-page layouts for each type of subdivision in Article 2: Subdivision Types. If a minimum tree plot width is not indicated, the Zoning Administrator shall determine appropriate minimum tree plot width for the development.

2. **Additional Street Design Standards**
   a. Cul-de-sac Design: All cul-de-sacs shall be constructed per the Town of Avon Engineering and Construction Standards.
   b. Design Speed: The design speed of all subdivision streets shall be per the Town of Avon Engineering and Construction Standards.

3. **Prohibited Street Designs**:
   a. Permanent dead end streets shall not be permitted. Cul-de-sacs and stub streets shall not be considered dead end streets.
   b. Eyebrow streets shall not be permitted as part of the right-of-way. Eyebrow streets may be used, but shall be privately maintained by the owner's association or the contiguous lot owners who gain access from the eyebrow street.

4. **Grades**: Streets and right-of-ways shall be designed for proper grades for vehicles and pedestrians and according to the *Town of Avon Construction Standards*, and to result in usable lots.

5. **Connectivity**: All developments shall provide stub streets to connect to adjacent properties that meet the following criteria:
   a. Where the development abuts land that has established stub streets, built or platted, the applicant shall design the street system to connect to those stub streets.
   b. Where the development abuts undeveloped land, stub streets may be proposed by the applicant. Generally, each side of the development that does not border a public street shall have at least one (1) stub street. In large developments, additional stub streets may be necessary to provide adequate connectivity adjacent properties, but in conservation developments, stub streets may not be necessary. Ultimately, the final number and location of stub streets shall be determined by the Zoning Administrator and the Avon Public Works Director.
   c. Regard shall be given to the Thoroughfare Plan for the Town of Avon.
6. **Stub Streets:** Stub streets shall be constructed when other streets are built within the development. A sign indicating that the stub street shall be connected to a future development shall be placed at the end of each stub street and maintained in perpetuity by the owner's association. A vehicular barricade shall also be installed at the property line.

7. **Temporary Turnarounds:** A temporary turnaround shall be established for each stub street, and a temporary turnaround easement shall provide for the turnaround.
   a. When a temporary turnaround is required, the applicant shall execute a temporary turnaround easement instrument in favor of the general public through the Avon Town Council or print the following information, a temporary turnaround easement certificate, on the plan or plat that is to be recorded. Identify the development with which the temporary turnaround easement is associated.
      i. The temporary turnaround easement shall grant the general public the right to access the easement for purpose of maneuvering vehicles.
      ii. The temporary turnaround easement shall grant the Town of Avon the right to alter, repair, maintain, or remove the improvements.
      iii. The temporary turnaround easement shall prohibit any person from parking vehicles within the easement.
      iv. The temporary turnaround easement shall prohibit any person, including the property owner, from placing any obstruction within the easement.
      v. The temporary turnaround easement shall be binding on all heirs, successors, and assigns to the property on which the temporary turnaround easement is located.
      vi. The temporary turnaround easement shall be enforceable by the Avon Town Council, the Avon Public Works Director, the Plan Commission, the Zoning Administrator, or the Town of Avon's Attorney.
      vii. The temporary turnaround easement shall automatically terminate upon the Town of Avon's acceptance of a connecting street. Otherwise, the temporary turnaround easement shall only be modified or terminated in a manner specified in this Subdivision Control Ordinance.
   b. When a temporary turnaround easement instrument is used, it shall cross-reference the most recently recorded deed to the property on which the temporary turnaround easement is to be established; include a metes and bounds description of the temporary turnaround easement; and be signed by the property owner of record granting the temporary turnaround easement and by authorized representatives of the Avon Town Council accepting the easement.
   c. When the temporary turnaround easement certificate on the plan or plat to be recorded is used, the dedication and acceptance of the easement shall be accomplished by a Certificate of Dedication being signed by the property owner of record granting the easement, and a Certificate of Acceptance signed by the appropriate representative of the Avon Town Council. These documents shall be recorded with the plan or plat, and shall not be part of any Declaration of Covenants for the development.

8. **Gated Entrances:** Developments may have gated entrances, but shall have an apparatus installed such that emergency vehicles (i.e., fire, police and ambulance) and utility providers can quickly and easily gain access to the development. Further, the gates shall be sized to allow the largest fire truck in service in the Town of Avon to easily turn into the development.

9. **Boulevard Entrances:**
   a. Any subdivision entrance from a Signature Street (as per the *Town of Avon Zoning Ordinance, Chapter 25*) shall be a boulevard entrance.
   b. Developments may have a boulevard entrance, but the boulevard entrance shall extend at least fifty (50) feet from the perimeter street’s right-of-way. Developments with over seventy-five (75) residential lots or ten (10) or more non-residential lots shall be required to install a boulevard entrance.
      i. The center planting strip shall be at least ten (10) feet wide.
      ii. The center planting strip shall remain public right-of-way, and shall be subject to all applicable Town standards and regulations.

10. **Intersections:**
    a. Intersections of more than two (2) streets at one (1) point shall not be permitted.
    b. Wherever possible, new local streets shall be aligned with existing local streets. Local street intersections with centerline offsets of less than 125 feet shall not be permitted.
    c. See *Appendix A*, for additional intersection standards.
D. **Naming and Addressing Principles:** All streets, public and private, shall meet the following street name criteria.

1. **Proposed Street Name:** The applicant shall propose a unique name for each street within the development at the time of initial application. The proposed street names shall meet the following criteria.
   a. Streets which are extensions, continuations, or in alignment with any existing street, platted right-of-way, or recorded access easement, shall bear the name of the existing street.
   b. The root street name (e.g. Maple) shall not duplicate or be phonetically similar to any existing street name.
   c. Deviations in suffix names (e.g. Street, Court, or Avenue) shall not constitute a unique name (for example, if Maple Street existed, the name Maple Court would not be permissible).
   d. Streets within a large development or separate developments within close proximity may be authorized to use the same root name by the Plan Commission.

2. **Proposed Address Numbers:** Street address numbers for all lots that are consistent with the Town of Avon's existing address scheme and the requirements of the Hendricks County E-911 System shall be proposed by the applicant.

3. **Approval Authority:** While street names and address numbers proposed by the applicant shall be considered, the Plan Commission has authority to approve or deny any proposed street name or address number.

4. **Renaming Authority:**
   a. Existing street names and address numbers that have been approved by the Plan Commission shall not be changed without Plan Commission approval.
   b. The Plan Commission shall have authority to require a new unique name for any street if the name proposed by the applicant is unacceptable. If an acceptable and unique street name is not proposed by the applicant, the Plan Commission shall rename the street prior to final approval. Likewise, if an unacceptable address number is proposed for a lot, the Plan Commission shall have the authority to assign a new address number to any lot prior to final approval.

E. **Additional Rights-of-way Required:** When developments abut or include existing streets that do not meet the minimum right-of-way widths established in the Thoroughfare Plan for the Town of Avon, the applicant shall dedicate additional width along either one (1) or both sides of such streets sufficient to meet the requirements of the Thoroughfare Plan. If the applicant only controls property on one (1) side of the street, sufficient right-of-way shall be dedicated to bring the half right-of-way up to the width required in the Thoroughfare Plan.

1. **Off-site Street Improvements:** When a development requires off-site street improvements, such as a passing blister, acceleration lane, or deceleration lane, and inadequate right-of-way exists to install the off-site street improvement, the applicant shall make a good faith effort to acquire property sufficient for the installation of the off-site improvement. If the owner of the property on which the off-site improvement is to be installed refuses to sell the property to the applicant, the applicant shall provide the Zoning Administrator with copies of all surveys, appraisals, written offers made by the applicant, and correspondence from the property owner.

2. **Eminent Domain:** When the installation of off-site street improvements is required, it is because those off-site street improvements are vital to the health, safety, and welfare of the motoring public. As a result, the Town of Avon may begin eminent domain proceedings in accordance with IC 32-24: Eminent Domain for the acquisition of public right-of-way sufficient for the installation of the off-site street improvement upon receipt of the aforementioned documentation illustrating the applicants failure to acquire the needed property. Upon completion of the eminent domain proceedings, the applicant shall reimburse the Town of Avon in an amount equal to the cost of the land, cost for any condemnation on that land, and the cost to relocated any features.

3. **Installation of Improvements:** The applicant shall then install the off-site street improvement to meet or exceed the Town of Avon Construction Standards.
3.25 SA-02: Street and Access Standards; Private

This Street and Access Standards section applies to the following types of development:

A. **Project Applicability:** Private streets shall be permitted, but shall meet or exceed the standards for public streets established within this Subdivision Control Ordinance and the standards for public streets within the *Town of Avon Construction Standards*.

B. **Additional Private Street Standards:**
   1. **Public Safety Access to Gated Areas:** Any gated entrance shall have a knox box system to provide access for emergency services at any time and any other access system as determined by the Avon Fire Department to maximize public safety.
   2. **Gated Entrances:** Shall only be permitted if condoned by the Avon Fire Department, Avon Police Department and Department of Public Works. Any street separated by a gated entrance shall be a private street.

C. **Required Language:** When a private street easement appears on a plat, the following language shall be printed on the plat:
   
   *The developer of this real estate covenants and warrants on behalf of itself and all future owners of lots within this subdivision or development that because the streets are private, all maintenance, repairs, and replacement, now and forever, shall be undertaken at the expense of the lot owners (or unit owners) in accordance with the terms and conditions set forth in the owners' association by-law and articles. No governmental entity has any duty or responsibility to maintain, repair, or replace any private street.)*

D. **Location:** Private streets shall be located within private street easements, rather than rights-of-way. All private street easements shall meet or exceed all the standards for rights-of-way established within this Subdivision Control Ordinance, the Thoroughfare Plan for the Town of Avon, and the *Town of Avon Construction Standards*.
   1. **Private Street Easement Instrument Specifications:** The applicant shall execute a private street easement instrument in favor of the future lot owners or unit owners to which the private street provides access. The following language shall be included on the private street easement instrument:
      a. Identify the development with which the private street easement is associated.
      b. Grant future lot or unit owners the right to access the easement for purposes of accessing their lot or unit.
      c. Specify the financial responsibilities of the future lot or unit owners with respect to the alteration, repair, maintenance, and removal of the improvements.
      d. Prohibit future lot or unit owners or any other person from placing any obstruction within the easement.
      e. Require that the private street be built to the *Town of Avon Construction Standards*.
      f. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
      g. Be enforceable by the future lot or unit owners, the Town of Avon, and any other specially affected persons entitled to enforce the easement.
      h. Provide for modification or termination in the manner stipulated in this Subdivision Control Ordinance.
      i. Be cross-referenced to the most recently recorded deeds to the properties on which the easement is to be established.
      j. Include a metes and bounds description of the easement.
      k. Be signed by each property owner granting the easement and by an authorized representative of future lot or unit owners accepting the easement.
   2. **Private Street Easement Certificate:**
      a. When a plat is being recorded, the applicant may forego a separate easement instrument in favor of printing the following private street easement certificate on the recordable instrument:
      
      Areas show on this plan that are designated as a "Private Street Easement" shall be established in favor of the adjoining property owners that are hereby granted the right to enter the easement for purposes of accessing their lot. The easement prohibits the property owners or any other person from placing any obstruction within the easement. The easements are binding on all heirs, successors, and assigns to the property on which they are located. The adjoining property owners or the Town of Avon may enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in this Subdivision Control Ordinance.
      
      b. The dedication and acceptance of Private Street Easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication and Acceptance signed by the property owner of record granting the easement, and a Certificate of Acceptance signed by an authorized representative of the future lot owners or unit owners.
      c. If a Declaration of Covenants is included on the recordable instrument, the Private Street Easement Certificate shall be clearly separate from the Declaration of Covenants.
3.26 SA-03: Alley Standards; Traditional and Townhouse Subdivision

This Street and Access Standards section applies to the following types of development:

A. **General**: Alleys shall be integrated into the overall design or traditional residential and townhouse neighborhoods because they provide essential access throughout the compact form of development.
   1. **Single-family Residential**: Alleys shall be required to provide access to at least seventy-five percent (75%) of all lots intended for single-family dwelling units to accommodate rear-loading garages.
   2. **Multiple-family Residential**: Alleys shall be required to provide access to at least fifty percent (50%) of multiple-family lots within a development.

B. **Design Principles**: See Appendix A.

C. **Construction Standards**: Alleys, public or private, shall be constructed to meet or exceed the Town of Avon Construction Standards for a local street, except for minimum width and curb standards.

3.27 SA-04: Alley Standards; Standard and Patio Home Subdivision

This Street and Access Standards section applies to the following types of development:

A. **General**: In order to better allow diversity in standard and patio home subdivision developments, alleys may be used to provide access to up to fifteen percent (15%) of all lots intended for single-family dwelling units to accommodate side-loading garages, rear-loading garages, or detached garages.

B. **Design Principles**:
   1. **Associated Right-of-way or Easement**: Alleys shall be located in an easement that is at least sixteen (16) feet in width, or located in a right-of-way if the Avon Town Council agrees to dedication.
   2. **Pavement Width**: Alleys shall have pavement that is at least twelve (12) feet in width.
   3. **Curb**: Alleys shall not be required to have curb except when the alley is within a right-of-way or private street easement where the associated street is required to have curb. In cases where an alley and curbed street intersect, the minimum curb radius shall be eight (8) feet.
   4. **Intersections**: Alley intersections with streets shall not exceed twenty degrees (20°) from perpendicular to said streets.

C. **Construction Standards**: Alleys, public or private, shall be constructed to meet or exceed the Town of Avon Construction Standards for a local street, except for minimum width and curb standards.
Street and Access Standards (SA)

3.28  SA-05: Street and Access Standards; Residential

This Street and Access Standards section applies to the following types of development:

A. **Quantity**: Vehicular access for the development shall be provided as follows:

1. **Small Developments**: A subdivision with less than fifty (50) lots or with that will result in less than fifty (50) dwelling units, shall have at least one (1) street access onto an appropriate perimeter street.

2. **Mid-size Developments**: A subdivision with fifty (50) lots or more, or with fifty (50) or more dwelling units, but less than 200 lots or dwelling units shall have at least two (2) street accesses onto appropriate perimeter streets. The two (2) street accesses shall be off of a different perimeter street than the other, or, if that is not possible they shall be at least 1,200 feet from one another. Also, one (1) of the required streets accesses may include connecting to an existing development's stub street.

3. **Large Developments**: A subdivision with 200 lots or more, or with 200 or more dwelling units shall have at least three (3) street accesses onto appropriate perimeter streets. The three (3) street accesses shall each be off of a different perimeter streets than the other, or, if that is not possible they shall be separated according to Appendix A. Also, one (1) of the required streets accesses may include connecting to an existing development's stub street.

One (1) of the required streets accesses may include connecting to an existing development's stub street. Stub streets to undeveloped adjacent land are required per Section 3.24(C)(5).

B. **Specialty Access**:  

1. **Frontage Streets**: Any development that includes a single-family detached dwelling unit fronting an arterial street, shall provide a frontage street unless the single-family detached dwelling unit is the only property within 400 feet that obtains access from the same arterial. The Zoning Administrator and Avon Public Works Director shall have discretion to require frontage streets in other circumstance to ensure a safe and efficient future transportation network. Frontage streets shall meet the following conditions.

a. **Design**:

   i. Frontage streets shall generally run parallel to the arterial street to which it accesses and shall be separated a minimum of thirty (30) feet (edge of pavement to edge of pavement) from the arterial street to which they are parallel.

   ii. Frontage streets shall accommodate two-way traffic.

   iii. Right-of-way or private street easement for a frontage street shall be at least forty (40) feet in width.

   iv. Pavement width for a frontage street shall be twenty-four (24) feet when parking is not permitted, or twenty-eight feet (28) when parking is permitted on one (1) side.

   v. Sidewalks shall be required on each side of a frontage street that has residential lots which derive their access from the frontage street.

b. A frontage street that is less than 300 feet in length or serves five (5) or less properties shall have one (1) ingress/egress. All other frontage streets shall be permitted up to two (2) ingress/egress points onto street.

c. Each ingress/egress shall be at least 150 feet from any intersection and any other ingress/egress on the same or opposite side of the street. Ingress/egress points that align across the street do not require separation.
Street and Access Standards (SA)

3.29 SA-06: Street and Access Standards; Non-residential

This Access Streets Standards section applies to the following types of development:

A. **Quantity:** An applicant shall propose the minimal quantity of ingress/egress points to provide safe, efficient, and adequate access for the various types of vehicular traffic that will access the development. The Zoning Administrator shall make the final determination.

B. **Specialty Access:**

1. **Access Streets and Rear Access Streets:** Any non-residential development that fronts an arterial street and has two (2) or more lots or a multiple tenant building shall provide an access street or rear access street as the primary access. Commonly, an access street is perpendicular to the arterial street and accesses lots that front the arterial street. An access street may also lead or turn into a rear access street, which is generally parallel to the arterial street. A rear access street is generally located behind the first tier of commercial lots, but in front of the second tier of commercial lots (often the anchor lots), but provides access to both. The Zoning Administrator and Avon Public Works Director shall have discretion in requiring rear access streets in other circumstances to ensure a safe and efficient future transportation network. Access streets and rear access streets shall meet the following conditions.

   a. **Design:**

      i. Access streets shall generally run perpendicular to the arterial street.

      ii. Rear access streets shall generally run parallel to the arterial street and be at least 150 feet from the arterial street (measured from the edge of pavement to the edge of pavement). Frontage streets shall not be permitted.

      iii. Access streets and rear access streets shall accommodate two-way traffic.

      iv. Right-of-way or private street easement for an access street or a rear access street shall be at least forty (40) feet in width.

      v. Pavement width for an access street or rear access street shall be a minimum of twenty-four (24) feet.

      vi. Parking shall not be permitted on rear access streets.

      vii. Sidewalks shall be on one (1) side of access streets and rear access streets and be integrated into the overall pedestrian network of the development.

   b. An access street or rear access streets serving developments less than fifteen (15) acres shall be permitted two (2) ingress/egress points onto a street. Developments with fifteen (15) acres or more shall have a maximum of three (3) ingress/egress points onto a street.
Article 3: Design Standards

3.30 SA-07: Street Sign Standards

This Street and Access (Signs) Standards section applies to the following types of development:

A. General: All streets, public or private, shall have signs necessary to provide a safe environment for drivers and pedestrians, and to provide information for located streets, addresses, or development amenities.

B. Applicable Standards: The Town of Avon’s policies and the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways (current version adopted by the Indiana Department of Transportation) shall be used to determine the type, size, height, and location of each of these signs. Each sign’s location and height shall be communicated to the petitioner at the time they are received by the petitioner.

C. Regulatory Signage Plan: A regulatory signage plan shall be submitted to the Department of Public Works. All proposed signs shall be first approved by the Department of Public Works prior to installation.

D. Public Safety Signs: The applicant shall coordinate with the Avon Public Works Director before purchasing and installing any public safety related street sign. The Avon Public Works Director shall make the final determination regarding the final location and height of each sign. All public safety related street signs shall be installed prior to any street being open to the public.

E. Street Name Signs: The applicant shall coordinate with the Avon Public Works Director before purchasing and installing any street name sign. One (1) street name sign shall be required for each intersection within the development and on all perimeter intersections. The Avon Public Works Director shall make the final determination regarding the final location and height of each sign.

F. Installation Timing: All street name signs shall be installed prior to any street being open to the public, and prior to any home or building construction commencing on that street.

G. Custom Street Signs: The applicant may propose an alternative to the standards for street signs. The approval of said proposal shall be by both the Zoning Administrator and the Avon Public Works Director. The Owner’s Association shall be responsible, in perpetuity, for maintain to all custom street signs.
3.31 SL-01: Street Lighting Standards

This Street Lighting Standards section applies to the following types of development:

A. Street Lighting Requirements: A Street lights shall be installed within the right-of-way at all intersections where internal streets intersect with arterial streets and collector streets. These street lights shall meet the Town of Avon Engineering and Construction Standards.
Article 3: Design Standards

3.32 SY-01: Surety Standards

This Surety Standards section applies to the following types of development:

A. Performance Surety: All applicants shall provide a performance surety to the Town of Avon for any street, sidewalk, sidepath, trail, public utility, drainage facility, mass excavation, or any other facility that is intended and desired to be dedicated to the Town of Avon. Performance surety for erosion control and landscaping may also be required when requested by the Plan Commission. All such facilities, any off-site improvements committed to by the applicant, and any off-site improvements required as a condition of approval shall be covered by the performance surety.

1. **Timing:** The performance surety’s must be accepted by the Avon Town Council prior to recording the Final Plat. Any Final Plat approved recorded in error of this provision shall still be required to provide a performance surety at the time of discovery.

2. **Requirements:** The performance surety shall:
   a. Be in an amount equivalent to one hundred ten percent (110%) of the estimated completion cost of installing the improvements in compliance with this Subdivision Control Ordinance and the Town of Avon Construction Standards; or less if determined and approved by the Avon Town Council to be a more equitable amount.
   b. Be a type of surety satisfactory to the Avon Town Council (e.g. bond or letter of credit).
   c. Run to and be in favor of the Town of Avon, or Hendricks County if the improvement is are outside the town's corporate limits.
   d. Specify the date that the improvements are required to be completed.
   e. Be submitted in a form approved or provided by the Avon Town Council or its legal counsel.

3. **Phasing of Development:** In the event a development is intended to be built-out in phases, either of the following options may be approved by the Avon Town Council.
   a. Option One: The applicant shall provide a Performance Surety for all phases of the development, regardless of how many months or years the development is expected to take to build-out.
   b. Option Two: The applicant shall propose a phase plan to the Avon Town Council prior to Final Plat approval. If the proposal is accepted, the applicant shall provide a performance surety for the first phase(s) of the development and shall sign a binding agreement with the Avon Town Council stating that the applicant shall maintain ownership of all lots and land outside of each phase that has been approved for development. No lot or property shall be sold or committed in phases of the development that have not been approved for commencement or that are not subject to a performance surety. Additionally, the applicant shall sign a contract with the Avon Town Council stating that it will support and not interfere with the vacation of plat, vacation of right-of-way, and/or reversion of approval granted to the applicant for any phases of the development yet to be authorized in the event that the applicant defaults on any authorized phase of the project requiring the Avon Town Council to claim the surety for its completion. If default occurs, at the request of the Avon Town Council or at the discretion of the Plan Commission, the Plan Commission may vacate the plat, vacate the right-of-way, and/or revert any approval granted to the applicant for phases left undeveloped in order to protect the Town of Avon from having to pay for public improvements in any phases remaining without a performance surety.
4. **Duration of Surety**: All performance sureties shall be effective from the Final Plat approval date and shall not terminate until:
   
a. **As-built Drawings**: As-built drawings for storm water drainage, utilities, streets, pedestrian facilities and any other public facility shall be submitted and shall have been stamped by the applicant's engineer. As-built drawing shall also be submitted in the Town's required digital format to the Avon Public Works Director.

   b. **Final Construction**: The final construction has been inspected by the Avon Public Works Director and stated in a report that the improvement meets the *Town of Avon Construction Standards*.

   c. **Town Council Concurrence**: The Avon Town Council concurs with the Avon Public Works Director's report, and

   d. **Maintenance Surety**: The Avon Town Council has been provided with a maintenance surety as described below, if applicable.

5. **Incremental Release of Surety**: The Avon Town Council may release increments of a performance surety once portions of an improvement have been completed and after that portion of the improvement has met the requirements in Section 3.34(A)(4).

B. **Maintenance Surety**: The applicant shall provide a maintenance surety to the Town of Avon for any improvement made that was subject to a performance surety, prior to the performance surety's release.

1. **Requirements**: The maintenance surety shall:
   
a. Be for twenty-five percent (25%) of the total cost to complete the improvements.

   b. Be a type of surety satisfactory to the Avon Town Council (e.g. bond or letter of credit).

   c. Run to and be in favor of the Town of Avon, or Hendricks County if the improvements are outside the town limits.

   d. Specify that it shall expire after three (3) years from the date the improvement was released from the performance surety. However, the Avon Town Council may reduce the duration of the maintenance surety by up to three (3) years if cause, evidence, or risk assessment shows that a three (3) year duration is not necessary.

   e. Be submitted in a form approved or provided by the Avon Town Council, or its legal counsel.

   f. Warrant the workmanship and all materials used in the construction, installation, and completion of said improvements, and that the installations are of good quality and have been constructed and completed in a workmanlike manner in accordance with standards, specifications and requirements of this Subdivision Control Ordinance and the *Town of Avon Construction Standards*.

   g. Include a certification from the applicant that all required improvements for the development are in compliance with this Subdivision Control Ordinance and in accordance with the approved plans and specifications.

2. **Release of Surety**: The maintenance surety shall be released upon its expiration date without formal action by the Town of Avon, unless a claim has been filed against the maintenance surety prior to the expiration date. Once all claims have been settled, the maintenance surety shall be released by the Town of Avon.

3. **Exemption**: The Avon Town Council may at its discretion, and by super majority vote, waive the requirement for a maintenance surety if it determines that it is not in the interest of the Town of Avon to do so, or if the risk of premature failure of the improvement is negligible.
Utility Standards (UT)

3.33 UT-01: Utility Standards

This Utility Standards section applies to the following types of development:

A. Wastewater and Water Utility:
   1. Wastewater: A wastewater utility collection system shall be provided by the developer of the subdivision per the applicable wastewater utility's installation standards.
   2. Water: A water utility distribution system shall be provided by the developer of the subdivision per the applicable water utility's installation standards.
   3. Wells: Within any subdivision developed under this Ordinance, a well shall only be permitted for the purpose of filling and replenishing a water feature. No well shall be established to provide water service to individual dwellings or structures, nor to provide fire protection.
   4. Wastewater and Water Utility Location: Wastewater collection system and water collection system shall be located in the right-of-way or within an area designated as a utility easement.
   5. Hydrants:
      a. Spacing and Location: The spacing and location of each hydrant shall be per the Town of Avon Construction Standards.
      b. Looping: Water lines used to supply hydrants may be required to be looped when determined to be necessary for public safety, based on Fire Department and Town of Avon Construction Standards.

B. Stormwater Utility:
   1. Easement: A drainage easement shall be established for all drainage swales, retention pond, detention pond, storm drains, and the like, except when within a right-of-way.
   2. Easement Width: A drainage easement shall meet the Town of Avon Stormwater Management Ordinance.
   3. Construction Standards: All stormwater facilities shall meet or exceed the Town of Avon Construction Standards.

C. Gas, Electric, and Communications Utility:
   1. Easement: An easement shall be established along a right-of-way or in rear yards. Easement widths shall be a minimum of:
      a. Asymmetrical Along a Right-of-Way: Twenty (20) feet wide on one side and ten (10) feet wide on the other,
      b. Symmetrical Along a Right-of-Way: Fifteen (15) feet wide per side,
      c. Single-sided Along A Right-of-Way: Thirty (30) feet on one side,
      d. Rear Yard: Twenty (20) feet wide, or
      e. Side Yards: Twenty (20) feet wide.
   2. Installation Standards: All gas, electric and communication facilities shall meet or exceed the applicable State and corresponding utility's standards, and shall utilize the least conspicuous markers, junction boxes and other above ground components available that meet the minimum installation standards.
Processes, Permits, and Fees
Introduction to Processes

4.01 Applicable Processes

A. **Subdivision of Land:** An application and process for creating new buildable lots, combining two (2) or more lots into fewer buildable lots, modifying a recorded plat, or adjusting lot lines. Divisions of land recorded at the office of the Hendricks County Recorder without being approved by this Subdivision Control Ordinance shall not result in buildable lots. See Section 4.03: Major Subdivision of Land; Primary Plat, Section 4.05: Minor Subdivision of Land; Primary Plat, or Section 4.07: Subdivision of Land; Administrative for applicability and applicable procedures.

4.02 Processes for Relief

A. **Administrative Appeal:** An application to appeal a decision, interpretation, order determination, or action made by the Zoning Administrator. The appeal shall be reviewed by the Board of Zoning Appeals. The Board of Zoning Appeals may allow the Zoning Administrator's interpretation to stand or may overturn or correct any Zoning Administrator's decision, interpretation, order determination or action. See Section 2-4: Board of Zoning Appeals, in the *Town of Avon Zoning Ordinance* for applicability and procedures.
Article 4: Processes, Permits, and Fees

4.03 Major Subdivision of Land; Primary Plat

A. Purpose and Intent: A Major Subdivision Primary Plat shall provide the Plan Commission with the opportunity to review the details of a major subdivision of land to determine compliance with the provisions of this Subdivision Control Ordinance, the Town of Avon Zoning Ordinance, and the Town of Avon Construction Standards.

B. Project Applicability: A Major Subdivision Primary Plat shall be prepared in conjunction with any proposal to subdivide property within the jurisdictional area of the Plan Commission.

1. Applicable Districts: The major subdivision of land shall only occur in the following zoning districts: E-1, R-1, R-2, R-3, R-4, R-5, INST, C-1, C-2, C-3, C-4, SC, I-1, I-2, I-3, and I-4.

2. Exemptions: Condominiums regulated by IC 32-35 are exempt from this subdivision process and lot establishment standards outlined in this Subdivision Control Ordinance, but are not exempt from other applicable design standards.

C. Prerequisites:

1. Eligible Applicants: An application for a Major Subdivision Primary Plat shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.

2. Pre-application Conference: Prior to submitting an application for a Major Subdivision Primary Plat, the applicant shall meet with the Technical Advisory Committee by contacting the Zoning Administrator who will arrange the meeting. The applicant shall provide "sketch" information in ".pdf" electronic file format to the Zoning Administrator at least one (1) week prior to the meeting which will then be conveyed to the Technical Advisory Committee. To the degree possible, the following sketch information shall be submitted: the geographic boundaries of the land to be subdivided, approximate acreage, approximate location of street entrances, estimate of the number of new lots, concept for storm water management, building product description, and desired type of subdivision. The Technical Advisory Committee may go over the applicable zoning district regulations, help determine the most appropriate subdivision type, offer initial concerns, provide resources, direct the applicant to relevant regulatory documents, and give procedural guidance.

3. Conditions or Commitments: If any preceding approval (e.g. rezoning, annexation, variance, etc.) for the subject property included conditions or commitments relative to the proposed subdivision, those commitments shall be recorded in the office of the Hendricks County Recorder prior to submitting an application for a Major Subdivision Primary Plat.

D. Filing Requirements:

1. Application: An application for a Major Subdivision Primary Plat shall be made on forms provided by the Zoning Administrator, and electronically per the Avon Planning and Building Office.

2. Supporting Information: The following supporting information shall accompany a completed application for Primary Plat.

   a. A list of names and mailing addresses of all known property owners within 660 feet of the boundary of the proposed site, but no more than two (2) property owners in depth. The measurement shall include any property that is wholly or partially within the 660 foot boundary or two-property in depth regardless if a street, river, railroad, or other physical barrier exists. This information may be obtained from the Hendricks County Auditor's office.

   b. A Site Plan, drawn to a scale of one inch equals fifty feet (1"=50') or one inch equals one hundred feet (1"=100'). Site Plans at a scale greater than one inch equals one hundred feet (1"-100') shall be approved by the Zoning Administrator prior to submission. The site plan shall include the following information:

      i. Proposed name of the subdivision including the words "Primary Plat."

      ii. Name and address of the applicant.

      iii. Name and address of the engineer preparing the plans.

      iv. Date of latest submission or revision.

      v. North arrow.

      vi. Graphic scale.

      vii. Proposed address for each lot.

      viii. Area map showing the general location of the site referenced to major streets.

      ix. Legal description of the site.

      x. Legal survey of the site including dimensions.
xi. Proposed names, center lines, and right-of-way widths of all streets and alleys.

xii. Location and dimensions of easements including a label indicating their function.

xiii. Lot layout, lot number (progressively numbered within each phase if intending to build-out in phases), lot dimension, lot area, and applicable building setback lines applied to each lot.

xiv. Location and dimensions of any existing structures.

xv. Location of all floodway, floodway fringe, and wetlands within or adjacent to the boundaries of the site.

xvi. Existing contours based in U.S.G.S. datum with intervals of not more than five (5) feet where the slope is greater than ten percent (10%) and not more than two (2) feet where the slope is less than ten percent (10%). Elevations shall be based on sea level datum.

xvii. Areas reserved for park, recreation, conservation, wetland, common area, pond, lake, trails, entryway feature, or other similar uses.

xviii. Proposed perimeter landscaping areas with dimensions.

xix. Proposed entryway feature with elevations.

xx. Stamp of registered professional engineer for all design documents and stamp of licensed surveyor for all legal survey and legal description documents.


xxii. Statement of compliance with the Town of Avon Zoning Ordinance.

xxiii. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.

c. Representative building elevations for each facade of primary structures including the following information.

i. Intended building materials to be used for exterior walls, window, roof, and other notable exterior architectural features.

ii. Proposed placement, area, dimensions, and illumination details for any proposed wall sign.

iii. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.

d. A Site Access and Circulation Plan shall be required. The Site Access and Circulation Plan may be incorporated into the required Site Plan or may be submitted as a separate plan. The Site Access and Circulation Plan shall be drawn to scale and shall include the following items:

i. Proposed name of the subdivision including the words "Primary Plat."

ii. Name and address of the applicant.

iii. Date of latest submission or revision.

iv. North arrow.

v. Graphic scale.

vi. Names, center lines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.

vii. All improvements to the street system on-site and off-site.

viii. Measurement of curb radius and/or flares.

ix. Location of proposed and existing pedestrian facilities.

x. Location and details of all proposed street signs and wayfinding signs.

xi. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.
e. A Utility Design Plan drawn to scale shall be required. The following items are specifically required:
   i. A copy of the wastewater utility plan submitted for approval by the provider according to their design requirements, or a plan already approved by the provider.
   ii. A copy of the water utility plan submitted for approval by the provider according to their design requirements, or a plan already approved by the provider.
   iii. Location of all existing and proposed utility easements and labeled to indicate the purpose for the easement and to what entity it is granted.
   iv. Location, depth, and description of all existing and proposed utility components for storm water, electric, natural gas, communications and the like. This shall include location and description of equipment, cabinets, and closures for electric and communication utilities; shutoffs and other surface located features for natural gas systems.
   v. Location and description of all street light fixtures.
   vi. Location and names of regulated drains, ditches and streams in or adjacent to the site.
   vii. Contours sufficient to illustrate storm water runoff (minimum of 5 foot contours).
   viii. Storm water drainage plan including estimated runoff.
   ix. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.

f. Traffic Impact Study.
   i. A Traffic Impact Study shall be required when a proposed subdivision meets or exceeds the following thresholds based on the Indiana Department of Transportation Traffic Impact Study Guidelines. The thresholds are: 150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more of office space; 70,000 square feet or more of industrial space; 30,000 square feet or more of educational space; 120 or more leasable rooms; 46,000 square feet or more of medical space; or any proportional combination of the aforementioned descriptions.
   ii. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent street system. Prior to commencement, the applicant shall meet with the Zoning Administrator and Avon Public Works Director to determine the minimal necessary scope for the Traffic Impact Study.
   iii. The Traffic Impact Study shall include a statement of coordination with the Town of Avon Comprehensive Plan.

g. A Statement of Development Build-out shall be submitted in writing and graphically depicted on the required Site Plan. The statement and graphical depiction shall include, if applicable:
   i. The intent to build-out in phases and the proposed order of that phasing, specifically for streets, pedestrian facilities, utilities, lighting, perimeter landscaping, neighborhood amenity centers and parks, and other significant development features.
   ii. Phasing boundaries.
   iii. An estimate of the time frame for build-out of each phase.
   iv. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.
h. A Landscape Plan shall be included on either on the required Site Plan or as a separate plan. The Landscape Plan shall show how the subdivision will meet or exceed the design standards detailed in Section 3.19: Perimeter Landscaping Standards in this Subdivision Control Ordinance, and the development standards (if applicable) in Chapter 16: Landscaping and Screening, in the Town of Avon Zoning Ordinance. The following detail shall be submitted on the plan:

i. Common name of all landscape material and description of minimal sizes to be planted.

ii. Basic characteristics of all landscape material, including height at maturity, and whether it is a canopy tree, understory tree, ornamental tree, evergreen tree, woody shrub, or other type of plant.

iii. Notation of existing landscape material that is intended to be saved in order to be counted toward minimum landscaping standards. Also a description of how this landscape material will be guarded from grade change, surface water changes, encroachment of trucks, heavy equipment and storage of construction material, and from inadvertent damage.

iv. Description of and/or design drawings for any proposed landscape structures (e.g. fences, wall, benches), fountains, waterfalls, and other architectural features.

v. Description and "general" design of proposed landscape mounds, including the flare edge, crown, and a line depicting the midpoint between the crown and flare.

vi. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.

i. The proposed Restrictive Covenants that will apply to each lot within the subdivision, and that may apply specially to one or more lots within the subdivision, shall be submitted.

j. Requested adjustments from the design standards in this Subdivision Control Ordinance, provided the adjustment maintains the intent of and does not lessen the intended effect of the design standard.

3. **Deadline:** The application and all required plans, and support information shall be submitted at least forty-five (45) days prior to the public meeting at which it is intended to first be heard by the Plan Commission.

4. **Required Quantities and Format of Submittals:** Five (5) hard copies of the application for Primary Plat; five (5) hard copies of all supporting information; one (1) digital copy of the application for Primary Plat and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted.

5. **Fee:** The applicable fee from the Town of Avon’s fee schedule shall be paid at the time the application for a Major Subdivision Primary Plat is filed. An application without the appropriate application fees shall not be considered substantially complete. Technical expertise necessary to review a Major Subdivision Primary Plat that the Town of Avon does not have adequate proficiency may constitute hiring a professional consultant to conduct the review, or portions thereof, at the expense of the applicant and as per the Town of Avon's fee schedule.
E. **Formal Procedure:**

1. **Application Submittal and Assignment:** A submitted application for Major Subdivision Primary Plat, which is determined to be substantially complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the next available Plan Commission agenda that occurs at least forty-five (45) days after submittal. The Zoning Administrator shall notify the applicant of the hearing date.

2. **Design Coordination:** The utility providers shall be provided the opportunity to attend a design and logistics coordination meeting with the applicant and his/her design representatives in order to identify and resolve conflicts and issues that can add time and cost to a subdivision approval process, add time and cost to construction thereafter, or lead to interruptions in utility services in the future. The applicant shall have submitted the subdivision's Utility Plan to all utility providers at least two (2) weeks prior to the scheduled Design Coordination meeting. The Technical Review Committee may be invited to attend this meeting as well. Subsequent Design Coordination meetings may be required by the Zoning Administrator if issues and conflicts remain unresolved. These additional meetings may request the attendance of only the representatives necessary to resolve the issues and also can allows those representatives to meet electronically or on their own terms.

3. **Technical Review:** Upon assignment of a case number and hearing date, the Technical Advisory Committee and other applicable agencies will be notified of the proposed subdivision of land and asked to review and comment on the plans based on the Subdivision Control Ordinance, *Town of Avon Zoning Ordinance*, other town ordinances, and known County, State or Federal rules, regulations and law. The Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the subdivision of land, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the subdivision of land and information from the Technical Advisory Committee and/or other agencies that have reviewed the subdivision of land. A copy of such report shall be made available to the applicant and all interested persons prior to the public hearing.

4. **Submittal of Revised Plans:** The petitioner will be given the opportunity to submit revised plans reflecting the outcome of the Design Coordination meeting and/or addressing concerns or lack of compliance identified by the Technical Review process. Revised plans shall be received at least twenty-one (21) days prior to the Plan Commission meeting. In the event the issues are not addressed, the Zoning Administrator may ask for revised plans be forwarded to the Technical Advisory Committee for additional review further review, or for the application to be continued to the next available Plan Commission meeting. Copies of the revised plan review shall be made available to the applicant and interested persons prior to the public hearing.

5. **Public Notice:** Once the application and required support material for a Primary Plat has been determined final, the notice to the public shall be made in accordance with *IC 36-7-4-706* and the below described standards. All costs associated with providing notice to the public shall be borne by the applicant.

   a. **Notice to Interested Parties:** The Zoning Administrator shall notify all interested parties of the public hearing by regular U.S. Mail a minimum of ten (10) days prior to the public hearing. The Zoning Administrator shall maintain the list of interested parties and document the date the notices were mailed in the case file.

   b. **Public Notice:** The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days prior to the public hearing. The Zoning Administrator shall be responsible for providing proof of publication in the case file.

   c. In addition to the notice requirements for interested parties and the public, the Zoning Administrator may post one (1) or more on-site notice signs that are visible from a perimeter street for a continuous period of at least ten (10) days before the public hearing. The purpose of posting on-site notice is to provide an additional opportunity to make area residents aware of the petition for Primary Plat. On-site notice is merely a public courtesy and not required by state law. Weather, vandalism, theft, employee resources, and other factors may prevent on-site notice from being posted.
6. **Attendance**: The applicant shall be present at the Plan Commission meeting to present and explain the application for Primary Plat and address and discuss comments and concerns posed by the Plan Commission. Failure to appear shall result in a continuation, or after two (2) or more failures to attend may be dismissed by vote of the Plan Commission.

7. **Public Hearing**: A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.

8. **Review**: At a regularly scheduled public meeting, the Plan Commission shall review and hear:
   - The application for Primary Plat.
   - All supporting information including the site plan, site access and circulation plan, elevations, etc.
   - The testimony of the applicant.
   - Information presented in writing or verbally by the Zoning Administrator, the Technical Advisory Committee, and/or other applicable department.
   - Input from the public during the public hearing.
   - Applicable provisions of this Subdivision Control Ordinance.
   - Applicable requirements of the *Town of Avon Construction Standards*.
   - Other information as may be requested by the Plan Commission to evaluate the application.

9. **Decision**:
   a. The Plan Commission shall make findings of fact and take final action or continue the application for Primary Plat to a defined future meeting date.
   b. If pursuing final action, the Plan Commission shall make the following findings of fact.
      i. The subdivision of land is consistent with the *Town of Avon Comprehensive Plan*.
      ii. The subdivision of land satisfies the development requirements of Article 2: Subdivision Types.
      iii. The subdivision of land satisfies the standards of Article 3: Design Standards.
      iv. The subdivision of land satisfies any other applicable provisions of this Subdivision Control Ordinance.
      v. The requested adjustments to the standards of this Subdivision Control Ordinance would still meet or exceed the statements in Section 1.04: Purpose or has been clearly identified as being not applicable to the proposed subdivision.
      vi. The subdivision of land satisfies the construction requirements of the *Town of Avon Construction Standards*.
      vii. The applicant has provided proof that the wastewater utility provider and water utility provider have approved utility plans per their specifications.
   c. Affirmation of findings may be in the form of a general statement. Findings that cannot be affirmed shall specify the provision of this Subdivision Control Ordinance, *Town of Avon Zoning Ordinance*, or *Town of Avon Construction Standards* with which there is not compliance; or the manner in which the project is not consistent with the *Town of Avon Comprehensive Plan*.
   d. The Plan Commission may require the applicant to prepare a commitment concerning the Primary Plat to be made in writing prior to final action.
   e. **Final Action**
      i. If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the application for Primary Plat.
      ii. If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the application for Primary Plat.
   f. If the Primary Plat is approved, the Primary Plat, support material, findings, documentation of final action, written commitments, and any conditions shall be signed and dated by the President of the Plan Commission. Written commitments shall be recorded in the office of the Hendricks County Recorder within ninety (90) days of the Plan Commission's approval of the Primary Plat or shall nullify the approval.
   g. The Zoning Administrator shall provide the applicant a copy of the decision.
F. **Duration:** An approved Primary Plat shall be valid for two (2) years from the date the Plan Commission granted approval. If the applicant fails to file for Final Plat approval for at least one (1) phase of the development within that time frame the plat shall be null and void. The Zoning Administrator may grant up to two (2), six (6) month extension for cause as determined by their discretion.

G. **Modification:**

1. **Major Amendments:** The applicant shall be required to bring proposed major amendments to an approved Primary Plat back to the Plan Commission for Primary Plat approval at a public hearing. Amendments that require re-hearing and approval by the Plan Commission include:
   - An increase in the total number of lots;
   - An adjustment to lot lines that: increases or decreases any single lot by twenty percent (20%) or more, changes the lot area for ten percent (10%) or more of all the approved lots, or shifts the location of twenty percent (20%) or more of the approved lots;
   - Reduction in or redesign of perimeter landscaping;
   - Widening an easement by twenty percent (20%) or five (5) feet from the approved Primary Plat;
   - Reduction of or addition to on-street parking resulting in a ten percent (10%) or greater change in the total number of spaces, or the relocation of ten percent (10%) or more of the approved on-street spaces;
   - Modification of street design resulting in relocation of an intersection by more than fifty (50) feet, shortening or lengthening a street segment by more than ten percent (10%) of its original design length, widening or narrowing the street width by one (1) foot or more, or adding fifty (50) or more lineal feet of new streets;
   - Modification of pedestrian facility design resulting in one-sided sidewalks or sidepaths along a segment of street originally intended to have two-sided sidewalks or sidepaths, reducing the width of a sidewalk by six (6) inches or more, reducing the width of a sidewalk to less than four (4) feet, reducing the width of a sidepath by more than one (1) foot, reducing the width of a sidepath to less than six (6) feet, or removing a mid-block crossing.
   - Notable realignment of streets;
   - A relocation of an entrance by twenty (20) feet or more from its approved location;
   - Any change that would result in noncompliance with the design standards in the Subdivision Control Ordinance or a written commitment;
   - A proposed minor amendment that adds to previously approved minor amendments, that cumulatively would comprise a major change to the approved Primary Plat; or
   - Any proposed deviation from a provision determined by the Zoning Administrator or Avon Public Works Director to be essential for protecting health, safety and welfare.

2. **Minor Amendments:** The applicant may seek minor amendments to an approved Primary Plat that do not adversely impact the integrity of what was approved as a Primary Plat and that does not require a major amendment approval by the Plan Commission. A minor amendment may be approved by the Zoning Administrator without a public hearing. A minor amendment authorized by the Zoning Administrator shall be reported in writing to the Plan Commission at the next regular meeting of the Plan Commission.

3. **Effect on Utilities:** Amendments shall not effect easements designated and/or currently approved by the utility service providers.
4.04 Major Subdivision of Land; Final Plat

A. **Purpose and Intent:** The a Major Subdivision Final Plat shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording.

B. **Delegation of Powers:** In accordance with IC 36-7-4-709 as amended, the Plan Commission shall grant approval of a Major Subdivision Final Plat or they may delegate this authority to a Plat Committee or Staff. The Plan Commission hereby delegates this authority to the Zoning Administrator.

C. **Prerequisites:**
   1. **Primary Plat:** A Major Subdivision Primary Plat shall have already been approved by the Plan Commission, final plans and support material in regard to the Primary Plat shall have already been submitted to the Zoning Administrator prior to submitting an application for Final Plat.
   2. **Commitments:** Any written commitments required by the Plan Commission during the Major Subdivision Primary Plat process shall have been recorded at the Hendricks County Recorder prior to submitting an application for Major Subdivision Final Plat.

D. **Filing Requirements:**
   1. **Application:** An application for a Major Subdivision Final Plat shall be made on forms provided by the Zoning Administrator, and electronically per the Avon Planning and Building Office.
   2. **Supporting Information:** The following information shall accompany the applicant's application for a Major Subdivision Final Plat.
      a. Exact location of all monuments and markers.
      b. Plans showing final dimensions for lots, common area, rights-of-ways, and easements.
      c. If infrastructure improvements are complete, the supporting information shall include as-built drawings stamped by a certified engineer for each infrastructure system, and copies of any required inspections or certifications. As-built drawing shall also be submitted in the Town's required digital format to the Avon Public Works Director.
      d. If infrastructure improvements intended to be dedicated to the Town of Avon are not complete, the supporting information shall include detailed descriptions and locations of infrastructure to be installed, estimates from contractors for all infrastructure improvements, and a performance surety for the total amount of the infrastructure improvements yet to be completed plus twenty-five percent (25%).
      e. Any other information necessary to support a thorough review of the project that is requested, in writing, by the Zoning Administrator or Plan Commission.
   3. **Deadline:** The application and supporting material for Final Plat approval shall be filed within two (2) years of the date the Major Subdivision Primary Plat was approved by the Plan Commission.
   4. **Required Quantities and Format of Submittals:** Five (5) hard copies of the letter requesting Final Plat approval; five (5) hard copies of all supporting information; one (1) digital copy of the letter requesting Final Plat and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted.
   5. **Fees:** The applicable fee from the Town of Avon's fee schedule shall be paid at the time the application for a Final Plat is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Final Plat that the Town of Avon does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the Town of Avon's fee schedule.
   6. **Utilities:** Infrastructure of utility providers and as-built drawings thereafter become the property of the utility provider. The requirements and standards for subdivision of the as-builds is also at the discretion of the service provider.
E. **Formal Procedure:**
   1. **Assignment:** An application for Final Plat, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number.
   2. **Technical Review:** Upon assignment of a case number the Technical Advisory Committee and other applicable agencies will be notified of the proposed subdivision of land and asked to review and comment on the plans.
   3. **Submittal of Revised Plans:** The petitioner will be given opportunity to submit revised plans for work yet completed or to make the necessary changes to work already completed to address the comments and concerns raised by the Technical Advisory Committee.
   4. **Decision:**
      a. The Zoning Administrator shall make findings of fact as part of final action on the application for Final Plat.
      b. The Zoning Administrator shall make the following findings of fact.
         i. The subdivision of land is consistent with the Major Subdivision Primary Plat approval.
         ii. A performance surety for unfinished improvements is in place and meets the requirements for a performance surety.
         iii. A maintenance surety for finished, inspected and approved improvements is in place and meets the requirements for a maintenance surety.
         iv. An agreement has been signed and filed restricting the applicant (i.e. subdivider) from selling, reserving, or committing future lots (i.e. phases that have not received Final Plat approval) or lots that do not have streets constructed giving access to the public street network. Transfer of the entire subdivision or a phase of the subdivision is permissive.
         v. The subdivision of land satisfies the construction requirements of the *Town of Avon Construction Standards*.
      c. Affirmation of findings may be in the form of a general statement. Findings that cannot be affirmed shall specify the provision of this Subdivision Control Ordinance, *Town of Avon Zoning Ordinance*, or *Town of Avon Construction Standards* with which there is not compliance.
      d. **Initial Action:**
         i. If the Zoning Administrator finds all of the findings of fact in the affirmative, he/she shall take initial action and tentatively approve the application for Final Plat.
         ii. If the Zoning Administrator does not find all of the findings of fact in the affirmative, he/she shall take initial action and deny the application for Final Plat.
      e. If the Final Plat is tentatively approved, the findings and documentation of initial action shall be signed and dated by the Zoning Administrator.
      f. The Zoning Administrator shall convey a copy of the findings and documentation of action to the applicant. If the Final Plat was tentatively approved, the Zoning Administrator shall also request that the applicant prepare the Final Plat and supporting material in accordance with *Section 3.20: Plat Document Standards* and as described below in *Section 4.04(I)*. If the Final Plat was denied, the Zoning Administrator shall request that the applicant prepare the necessary revisions to the Final Plat and supporting material, or make modifications to previously installed and noncompliant elements of the development before resubmitting and application for Final Plat approval.
Major Subdivision of Land; Final Plat

F. **Recording Plat**: The process for recording the Final Plat and supporting material is as follows:

1. **Prerequisites**:
   a. The findings and documentation of final action shall have been signed and dated by the Zoning Administrator and conveyed to the applicant.

2. **Submit for Signatures**:
   a. The Final Plat and supporting documents shall be complete and in their final form for recording, including a formal signature and date line for the Zoning Administrator on each sheet associated with the Final Plat and on each unique supporting document. Each supporting documents with multiple pages shall have a line for the Zoning Administrator to initial. All Final Plat sheets shall be numbered in a logical fashion, and all supporting documents shall have page numbers.
   b. The applicant shall submit one (1) reproducible Mylar and two (2) Mylar prints of the Final Plat for signature. The applicant shall also submit three (3) copies of supporting documents each as original laser prints (i.e. no photocopies or inkjet printing) as single-sided prints for signature by the Zoning Administrator.
   c. Upon receipt and verification of accuracy and compliance with submittal requirements, the Zoning Administrator shall sign and date the documents.

3. **Responsibility**: The applicant is responsible for recording the approved Final Plat with the Hendricks County Recorder within thirty (30) days of the date of signature.

4. **Deliver Copies and Proof of Recording**: Two (2) blue line copies and one (1) Mylar of the recorded Final Plat and proof of recording shall be submitted to the Zoning Administrator after being recorded. Failure to record the Major Subdivision Final Plat and supporting documents within the thirty (30) day time frame shall void the application and necessitate re-filing the application for Major Subdivision Final Plat approval.

G. **Final Action**: Delivery of copies and proof of recording within the thirty (30) day time frame shall constitute final action and final approval.

H. **Duration**: An approved Major Subdivision Final Plat shall be valid for two (2) years from the date the Zoning Administrator signed the Final Plat and supporting documents. The Zoning Administrator may grant up to two (2), six (6) month extension for cause as determined by their discretion.

I. **Modification**:

1. **Restrictions**: Minor or major amendments to a recorded Major Subdivision Final Plat shall not be considered if one (1) or more lots have been sold to persons not associated with the applicant (i.e. the subdivider).

2. **Replats**: A replat shall consist of two (2) processes. First, the recorded Major Subdivision Final Plat or a portion of a recorded Final Plat intended to be changed shall be vacated in accordance with IC 36-7-3-10 and IC 36-7-3-11. Then, the area shall be platted using the Major Subdivision of Land; Primary Plat process and the Major Subdivision of Land; Final Plat process.

J. **Addresses**: Under no circumstances shall addresses be assigned to any lot within the subdivision until the Major Subdivision Final Plat is recorded and copies delivered to the Zoning Administrator, required performance surety is in place, and required maintenance surety is in place.

K. **Improvement Location Permits**: Under no circumstances shall improvement location permits be issued on lots within a subdivision until the Major Subdivision Final Plat is recorded and copies delivered to the Zoning Administrator (i.e. final action is completed), required performance surety is in place, required maintenance surety is in place, and the street to which the lot gains access has been installed and paved, and connects to the public street network.

L. **As-built Drawings**: The developer shall provide as-built drawings within one (1) year of recording the final plat. As-built drawing shall be submitted in a digital format as specified by the Avon Public Works Director. Failure to submit as-built drawings is considered a violation of this ordinance and the platting process and is actionable.
Article 4: Processes, Permits, and Fees

04

Minor Subdivision of Land; Primary Plat

4.05 Minor Subdivision of Land; Primary Plat

A. Purpose and Intent: A Minor Subdivision Primary Plat shall provide the Plan Commission with the opportunity to review the details of a minor subdivision of land to determine compliance with the provisions of this Subdivision Control Ordinance, the Town of Avon Zoning Ordinance, and the Town of Avon Construction Standards. The approval process for a minor subdivision is the same as major subdivisions with the exception that less submittal requirements and less or simpler procedural steps apply to the Primary Plat and Final Plat approval process.

B. Project Applicability: A Minor Subdivision Primary Plat shall be prepared in conjunction with any proposal to subdivide property within the jurisdictional area of the Plan Commission.

1. Applicable Districts: The minor subdivision of land shall occur only in the following zoning districts: E-1, R-1, R-2, and R-3.

2. Restrictions: A proposed division of land that includes one (1) or more of the following shall not be permitted to utilize the Minor Subdivision Primary Plat process:
   a. A new interior street,
   b. Divisions of land that result in five (5) or more total lots (i.e. splitting one lot into five buildable lots),
   c. Divisions of land that result in new or modified easements,
   d. A subdivision that requires Plan Commission approved adjustments to the applicable design standards, or
   e. Common area is required.

3. Exemptions: Condominiums regulated by IC 32-35 are exempt from this subdivision process and lot establishment standards outlined in this Subdivision Control Ordinance, but are not exempt from other applicable design standards.

C. Prerequisites:

1. Eligible Applicants: An application for Minor Subdivision Primary Plat shall be initiated by the owner of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner shall accompany the application.

2. Pre-application Conference: Prior to submitting an application for Minor Subdivision Primary Plat, the applicant shall meet with the Zoning Administrator to review the applicable zoning district for the site, review regulatory ordinances and materials, review the procedures, and examine the conceptual design for the site.

3. Conditions or Commitments: If any preceding approval (e.g. rezoning, annexation, variance, etc.) for the subject property included conditions or commitments relative to the proposed subdivision, those commitments shall be recorded in the office of the Hendricks County Recorder prior to submitting an application for Minor Subdivision Primary Plat.

D. Filing Requirements:

1. Application: An application for Minor Subdivision Primary Plat shall be made on forms provided by the Zoning Administrator, and electronically per the Avon Planning and Building Office.

2. Supporting Information: The following supporting information shall accompany a completed application for Minor Subdivision Primary Plat.
   a. A list of names and mailing addresses of all known property owners within 660 feet of the boundary of the proposed site, but no more than two (2) property owners in depth. The measurement shall include any property that is wholly or partially within the 660 foot boundary or two-property in depth regardless if a street, river, railroad, or other physical barrier exists. This information may be obtained from the Hendricks County Auditor's office.
   b. A Site Plan, drawn to a scale of one inch equals fifty feet (1"=50') or one inch equals one hundred feet (1"=100'). The site plan shall include the following information:
      i. Proposed name of the subdivision including the words "Primary Plat."
      ii. Name and address of the applicant.
      iii. Name and address of the engineer preparing the plans.
      iv. Date of latest submission or revision.
      v. North arrow.
      vi. Graphic scale.
      vii. Proposed address for each lot.
      viii. Area map showing the general location of the site referenced to major streets.
Minor Subdivision of Land; Primary Plat

ix. Legal description of the site.

x. Legal survey of the site including dimensions.

xi. Location and dimensions of existing easements including a label indicating their function.

xii. Lot layout, lot number, lot dimension, lot area, and applicable building setback lines applied to each lot.

xiii. Location and dimensions of any existing structures.

xiv. Location of all floodway, floodway fringe, and wetlands within or adjacent to the boundaries of the site.

xv. Existing contours based in U.S.G.S. datum with intervals of not more than five (5) feet where the slope is greater than ten percent (10%) and not more than two (2) feet where the slope is less than ten percent (10%). Elevations shall be based on sea level datum.

xvi. Stamp of registered professional engineer for all design documents and stamp of licensed surveyor for all legal survey and legal description documents.


xviii. Statement of compliance with the Town of Avon Zoning Ordinance.

xix. Any other information necessary to support a thorough review of the project as requested on the application form or from the Plan Commission or Zoning Administrator.

3. Deadline: The application and all required plans, and support information shall be submitted at least thirty (30) days prior to the public meeting at which it is intended to first be heard by the Plan Commission.

4. Required Quantities and Format of Submittals: Five (5) hard copies of the application for Minor Subdivision Primary Plat; five (5) hard copies of all supporting information; one (1) digital copy of the application for Minor Subdivision Primary Plat and all supporting information in .pdf (portable document format); and one (1) digital copy of any drawings in .dwg file format shall be submitted.

5. Fee: The applicable fee from the Town of Avon's fee schedule shall be paid at the time the application for a Minor Subdivision Primary Plat is filed. An application without the appropriate application fees shall not be considered substantially complete. Technical expertise necessary to review a Minor Subdivision Primary Plat that the Town of Avon does not have adequate proficiency may constitute hiring a professional consultant to conduct the review, or portions thereof, at the expense of the applicant and as per the Town of Avon's fee schedule.

E. Formal Procedure:

1. Application Submittal and Assignment: A submitted application for Minor Subdivision Primary Plat, which is determined to be substantially complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the next available Plan Commission agenda that occurs at least thirty (30) days after submittal. The Zoning Administrator shall notify the applicant of the hearing date.

2. Technical Review: Upon assignment of a case number and hearing date, the Zoning Administrator and, if necessary the Technical Advisory Committee will review and comment on the plans based on the Subdivision Control Ordinance, Town of Avon Zoning Ordinance, other town ordinances, and known County, State or Federal rules, regulations and law. The Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the subdivision of land, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the subdivision of land and information from the Technical Advisory Committee. A copy of such report shall be made available to the applicant and all interested persons prior to the public hearing.

3. Submittal of Revised Plans: The petitioner will be given the opportunity to submit revised plans to address concerns or lack of compliance identified by the Technical Review. Revised plans shall be received at least eighteen (18) days prior to the Plan Commission meeting and reviewed for compliance. In the event compliance issues are not addressed, the Zoning Administrator may ask for a continuance to allow additional time for revisions before going before the Plan Commission meeting. Copies of the revised plan review will be made available to the applicant and interested persons prior to the public hearing.
4. **Public Notice:** Once the Minor Subdivision Primary Plat plans are free from compliance issues or if the applicant requests the hearing even if compliance issues exist the public notice shall be made. The following public notice standards apply to an application for Minor Subdivision Primary Plat. All costs associated with providing public notice shall be borne by the applicant.
   a. Notice to Interested Parties: The Zoning Administrator shall notify all interested parties of the public hearing by regular U.S. Mail a minimum of ten (10) days prior to the public hearing. The Zoning Administrator shall maintain the list of interested parties and document the date the notices were mailed in the case file.
   b. The Zoning Administrator shall publish legal notice in a newspaper of general circulation a minimum of ten (10) days before the public hearing. The Zoning Administrator shall be responsible for providing proof of publication in the case file.
   c. In addition to the notice requirements for interested parties and the public, the Zoning Administrator may post one (1) or more on-site notice signs before the public hearing. The purpose of posting on-site notice is to provide an additional opportunity to make area residents aware of the petition for Minor Subdivision Primary Plat. On-site notice is merely a courtesy and not required by state law. Weather, vandalism, theft, employee resources, and other factors may prevent on-site notice from being posted.

5. **Attendance:** The applicant shall be present at the Plan Commission meeting to present and explain the application for Primary Plat and address and discuss comments and concerns posed by the Plan Commission. Failure to appear shall result in a continuation, or upon second failure to attend may be dismissed by vote of the Plan Commission.

6. **Public Hearing:** A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.

7. **Review:** At their regularly scheduled public meeting, the Plan Commission shall review and hear:
   - The application for Primary Plat.
   - All supporting information.
   - The testimony of the applicant.
   - Information presented in writing or verbally by the Zoning Administrator.
   - Input from the public during the public hearing.
   - Applicable provisions of this Subdivision Control Ordinance.
   - Applicable requirements of the *Town of Avon Construction Standards*.
   - Other information as may be requested by the Plan Commission to evaluate the application.

8. **Decision:**
   a. The Plan Commission shall make findings of fact and take final action or continue the application for Minor Subdivision Primary Plat to a defined future meeting date.
   b. If pursuing final action, the Plan Commission shall make the following findings of fact.
      i. The subdivision of land is consistent with the *Town of Avon Comprehensive Plan*.
      ii. The subdivision of land satisfies the development requirements of *Article 2: Subdivision Types*.
      iii. The subdivision of land satisfies the standards of *Article 3: Design Standards*.
      iv. The subdivision of land satisfies any other applicable provisions of this Subdivision Control Ordinance.
      v. The subdivision of land satisfies the construction requirements of the *Town of Avon Construction Standards*.
   c. Affirmation of findings may be in the form of a general statement. Findings that cannot be affirmed shall specify the provision of this Subdivision Control Ordinance, *Town of Avon Zoning Ordinance*, or *Town of Avon Construction Standards* with which there is not compliance; or the manner in which the project is not consistent with the *Town of Avon Comprehensive Plan*.
   d. The Plan Commission may require the applicant to prepare a commitment concerning the Primary Plat to be made in writing prior to final action.
   e. **Final Action**
      i. If the Plan Commission finds all of the findings of fact in the affirmative, it shall approve or approve with commitments the application for Minor Subdivision Primary Plat.
      ii. If the Plan Commission does not find all of the findings of fact in the affirmative, it shall deny the application for Minor Subdivision Primary Plat.
f. If the Minor Subdivision Primary Plat is approved, the Minor Subdivision Primary Plat, support material, findings, documentation of final action, written commitments, and any conditions shall be signed and dated by the President of the Plan Commission. Written commitments shall be recorded in the office of the Hendricks County Recorder within ninety (90) days of the Plan Commission's approval of the Primary Plat or shall nullify the approval.


g. The Zoning Administrator shall provide the applicant a copy of the decision.

F. **Duration:** An approved Minor Subdivision Primary Plat shall be valid for two (2) years from the date the Plan Commission granted approval. The Zoning Administrator may grant one (1), six (6) month extension.

G. **Modification:**

1. **Restrictions:** Major amendments to an approved Minor Subdivision Primary Plat shall not be considered.

2. **Replats:** A replat shall consist of two (2) processes. First, the approved Minor Subdivision Primary Plat shall be voided and revoked by the petitioner. Second, a new application shall be submitted for a Minor Subdivision of Land.

3. **Minor Amendments:** The applicant may seek minor amendments to an approved Minor Subdivision Primary Plat. Minor amendments are limited to adjustment to lot lines (e.g. changes to lot widths) provided the changes do not adversely impact the integrity of what was approved as a Minor Subdivision Primary Plat and the changes maintain compliance with this Subdivision Control Ordinance and the *Town of Avon Zoning Ordinance*. A minor amendment may be approved by the Zoning Administrator without a public hearing. A minor amendment authorized by the Zoning Administrator shall be reported in writing to the Plan Commission at the next regular meeting of the Plan Commission.
Minor Subdivision of Land; Final Plat

Article 4: Processes, Permits, and Fees

Minor Subdivision of Land; Final Plat

4.06 Minor Subdivision of Land; Final Plat

A. Purpose and Intent: The Minor Subdivision Final Plat shall assure that the Primary Plat and support information are prepared and recorded.

B. Delegation of Powers: In accordance with IC 36-7-4-709 as amended, the Plan Commission may delegate Final Plat approval authority to staff. The Plan Commission hereby delegates this authority to the Zoning Administrator.

C. Prerequisites:
   1. Primary Plat: A Minor Subdivision Primary Plat shall have already been approved by the Plan Commission.

D. Filing Requirements:
   1. Application: An application for a Minor Subdivision Final Plat shall be made on forms provided by the Zoning Administrator, and electronically per the Avon Planning and Building Office.
   2. Supporting Information: The following information shall accompany the applicant's application for a Minor Subdivision Final Plat.
      a. Statement from a licensed surveyor indicating that required monuments and markers have been placed, or an agreement from the applicant to comply with monument and marker requirement with three (3) months.
      b. Any other information necessary to review the Minor Subdivision Final Plat as requested on the application form or from the Zoning Administrator.
   3. Deadline: The application and supporting material for Minor Subdivision Final Plat approval shall be filed within two (2) years from the date the Minor Subdivision Primary Plat was approved by the Plan Commission.
   4. Required Quantities and Format of Submittals: The applicant shall submit one (1) reproducible Mylar and two (2) Mylar prints of the Minor Subdivision Final Plat for signature. The applicant shall also submit three (3) copies of supporting documents each as original laser prints (i.e. no photocopies or inkjet printing) as single-sided prints for signature. The Final Plat and supporting documents shall be complete and in their final form for recording, including a line for the Zoning Administrator to sign and date on each sheet associated with the Minor Subdivision Final Plat and on each unique supporting document. Each supporting documents with multiple pages shall have a line for the Zoning Administrator to initial. All Minor Subdivision Final Plat sheets and supporting documents shall be numbered.
   5. Fees: The applicable fee from the Town of Avon's fee schedule shall be paid at the time the application for a Minor Subdivision Final Plat is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Minor Subdivision Final Plat that the Town of Avon does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the Town of Avon's fee schedule.

E. Formal Procedure:
   1. Determining Substantially Complete: An application for Minor Subdivision Final Plat, which is determined to be substantially complete and in proper form by the Zoning Administrator, shall be reviewed.
   2. Review: Upon determining substantial completion, the Zoning Administrator shall review the Minor Subdivision Final Plat and support material for compliance.
   3. Submittal of Revised Plans: The applicant will be given opportunity to revised plans to address issues if deficiencies are identified by the Zoning Administrator.
   4. Decision:
      a. The Zoning Administrator shall make the following finding of fact.
         i. The subdivision of land is consistent with the Minor Subdivision Primary Plat approval.
      b. Final Action:
         i. When the Zoning Administrator determines the finding of fact in the affirmative, he/she shall take final action and approve the application for Minor Subdivision Final Plat.
         ii. If the Zoning Administrator does not find all of the findings of fact in the affirmative, he/she shall deny the application for Minor Subdivision Final Plat.
      c. If the Minor Subdivision Final Plat is approved the plat shall be signed and dated by the Zoning Administrator.
F. Recording Plat: The process for recording the Minor Subdivision Final Plat and supporting material is as follows:
   1. Prerequisites:
      a. The Minor Subdivision Final Plat shall have been signed and dated by the Zoning Administrator and conveyed to the applicant.
   2. Responsibility: The applicant is responsible for recording the approved Minor Subdivision Final Plat with the Hendricks County Recorder within thirty (30) days of the date of signature.
   3. Deliver Copies and Proof of Recording: Two (2) blue line copies and one (1) Mylar of the recorded Minor Subdivision Final Plat and proof of recording shall be submitted to the Zoning Administrator after being recorded. Failure to record the Minor Subdivision Final Plat and supporting documents within the thirty (30) day time frame shall void the application and necessitate re-filing the application for Minor Subdivision Final Plat approval.

G. Duration: An approved Minor Subdivision Final Plat shall be valid for two (2) years from the date the Zoning Administrator signed the Minor Subdivision Final Plat and supporting documents. The Zoning Administrator may grant one (1), six (6) month extension.

H. Modification:
   1. Restrictions: Minor or major amendments to a recorded Minor Subdivision Final Plat shall not be considered.
   2. Replat: A replat shall consist of two (2) processes. First, the recorded Minor Subdivision Final Plat shall be vacated in accordance with IC 36-7-3-10 and IC 36-7-3-11. Then, the area shall be platted using the Minor Subdivision of Land process.

I. Addresses: Under no circumstances shall addresses be assigned to any lot within a minor subdivision until the Minor Subdivision Final Plat is recorded and copies delivered to the Zoning Administrator.

J. Improvement Location Permits: Under no circumstances shall improvement location permits be issued on lots within a minor subdivision until the Minor Subdivision Final Plat is recorded and copies delivered to the Zoning Administrator.

K. As-built Drawings: The developer shall provide as-built drawings within one (1) year of recording the final plat. As-built drawing shall be submitted in a digital format as specified by the Avon Public Works Director. Failure to submit as-built drawings is considered a violation of this ordinance and the platting process and is actionable.
Subdivision of Land; Administrative

4.07  Subdivision of Land; Administrative

A. **Purpose and Intent:** An administrative subdivision shall provide the Town of Avon with the opportunity to expedite adjustments to property lines when no new lots are created, or when mergers of parcels are made into fewer buildable lots (e.g. merging two lots into one developable lot for the purpose of constructing across the middle of the two lots). This provision is an administrative process for exempt forms of subdivision.

B. **Project Applicability:** An administrative subdivision can be used to modify the division of property within the jurisdictional area of the Plan Commission, but only if the proposed modification meets the "Applicable Districts," "Applicable Actions," and "Prerequisites" standards written below. All other divisions of land or alterations to property lines must be processed as a Minor Subdivision or Major Subdivision.

1. **Applicable Districts:** An administrative subdivision may occur in any zoning district.

2. **Applicable Actions:**
   a. **Merging Common Ownership Lots:** The owner of two (2) to ten (10) lots may merge them together as fewer buildable lots when the resulting lot(s) do(es) not result in a new nonconformance or an escalation in an existing nonconformance; and when there is no change to public services, roads, or utilities.
   b. **Splitting a Lot and Merging its Pieces with Two or More Adjacent Lots:** Two (2) or more owners adjacent to a vacant lot may jointly purchase the lot, divide it, and merge all of the pieces with their buildable lot. If the lot is not vacant, the primary structure shall have to be demolished and/or the primary use dissolved, prior to application for an administrative subdivision.
   c. **Adjusting Lot Lines:** Two owners may adjust a lot line separating their two properties if survey errors were discovered or if both owners desire such a modification; as long as it does not result in a new nonconformance or an escalation in an existing nonconformance; and does not reduce either's lot area by more than twenty-five percent (25%).

C. **Prerequisites:**

1. **Eligible Applicant:** An application for an administrative subdivision shall be initiated by the owner(s) of all applicable lots or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from the owner(s) shall accompany the application.

2. **Removing Unnecessary Driveway Cuts:** Under the actions listed in 4.07(B)(2)(a) and 4.07(B)(2)(b), pre-existing driveway cut(s) established for the dissolved lots shall be vacated and removed, including the apron within the right-of-way.

3. **Restrictions:** An administrative subdivision that includes one (1) or more of the following shall not be permitted to utilize the administrative subdivision process:
   a. An additional driveway cut,
   b. A new or modified easements, or
   c. A subdivision that was platted on or after the Town of Avon's first Subdivision Control Ordinance's effective date.

D. **Administrative Subdivision Filing Requirements:**

1. **Application:** An application for an administrative subdivision shall be made on forms provided by the Zoning Administrator, and electronically per the Avon Planning and Building Office.

2. **Supporting Information:** The following supporting information shall accompany a completed application for an administrative subdivision. The Zoning Administrator may waive in writing the submittal of unnecessary information relative to the application.
   a. Legal description of all lots involved, and
   b. Address for each lot involved.

3. **Site Plan:** A Site Plan, drawn to a scale of one inch equals fifty feet (1”=50’) or one inch equals one hundred feet (1”=100’), that includes the following items:
   a. Name and address of the applicant,
   b. North arrow and graphic scale,
   c. Adjacent streets, sidewalks, and easements,
   d. Boundary lines of each lot including all lot dimensions,
   e. Proposed adjustments with lot dimensions, lot area, and building setback lines on the resulting lots,
   f. Footprint and dimensions of existing structures with measurements to property lines pre and post adjustments,
   g. Stamp of registered professional engineer, surveyor, landscape architect, or architect, and
   h. Any other information necessary to support a thorough review of the project as requested on the application form or from the Zoning Administrator.
4. **Deadline**: Not applicable.

5. **Submittal Material**: Three (3) hard copy of the application for an administrative subdivision; three (3) hard copy of all supporting information; and one (1) digital copy of the application for an administrative subdivision and all supporting information in .pdf (portable document format).

6. **Fees**: The applicable fees from the Town of Avon's fee schedule shall be paid at the time the application for an administrative subdivision is filed. An application without the appropriate application fees shall not be considered substantially complete. Technical expertise necessary to review an administrative subdivision for which the Town of Avon may not have adequate proficiency, can constitute hiring a professional consultant to conduct the review, or portions thereof, at the expense of the applicant and as per the Town of Avon's fee schedule.

E. **Procedure and Approval**:

1. **Review of Material**: An application for an administrative subdivision, which is determined to be complete and in proper form by the Zoning Administrator, shall be reviewed by the Zoning Administrator and an appointed member of the Plan Commission for compliance with the Subdivision Control Ordinance. If a member of the Plan Commission has not been appointed the Plan Commission President shall be the second reviewer.

2. **Decision**: The Zoning Administrator and Plan Commission representative shall make a joint determination as to whether the petition complies with the "Applicable Districts," "Applicable Actions," and "Prerequisites" standards written in Section 4.07(B) and Section 4.07(C). If the petition is in compliance it shall be approved and signed, all three copies, by both reviewers. A signed copy shall be retained for town records and two (2) copies conveyed to the applicant; one (1) for personal records and one (1) for recording with the Hendricks County Recorder's office.

3. **Report to Plan Commission**: After approved, at the first regularly schedule Plan Commission meeting, the approval of any administrative subdivisions shall be reported.

4. **Proof of Recording**: To officially complete the process the applicant shall record the plat with the Hendricks County Recorder's office and provide proof to the Zoning Administrator.

5. **Failure to Record**: If an approved administrative subdivision is not recorded within thirty (30) days from the date of approval and signature, the application and approval shall be deemed void. The Zoning Administrator shall report any failures to record to the Plan Commission at the first regularly scheduled Plan Commission meeting after discovering default occurred; and shall notify the applicant, and shall clearly note failure to record in the town's records.

F. **Improvement Location Permits**: No building permit shall be issued until proof of recording has been demonstrated.
Article 04

Improvement Location Permit; Site Work

4.08 Improvement Location Permit; Site Work

A. Applicability: An Improvement Location Permit for Site Work shall be required prior to any alteration to the land associated with a subdivision project. The following are examples of improvements necessitating an Improvement Location Permit for Site Work:

- Grading,
- Removal of ground cover,
- Removal of trees or woody shrubs,
- Installation of underground utility facilities, or
- Installation of construction roads.

B. Cross-reference:

1. Other Permits: An Improvement Location Permit for Site Work does not indicate compliance with any county, state or federal permits. It is the responsibility of the owner to acquire other required permits prior to making improvement.

C. Filing Requirements:

1. Prerequisites: Prior to submitting an application for an Improvement Location Permit for Site Work, a SWILP and a performance surety shall be posted; or the Final Plat shall be recorded.

2. Application: Application for an Improvement Location Permit for Site Work shall be made on a form provided by the Zoning Administrator, and electronically per the Avon Planning and Building Office.

3. Fees: The applicable fee from the Town of Avon's fee schedule shall be paid at the time the application for an Improvement Location Permit for Site Work is filed. An application without the appropriate application fee shall not be considered substantially complete.

D. Permit Procedure:

1. Substantially Complete Application: An application for an Improvement Location Permit for Site Work shall not be reviewed for approval until it is determined to be substantially complete by the Zoning Administrator. The Zoning Administrator shall first verify that the application form and prerequisites have been submitted correctly, and the applicable application fee has been paid.

2. Review the Project's Compliance: After the application is verified as being substantially complete, the Zoning Administrator shall review the project to determine whether it complies with this Subdivision Control Ordinance. The Zoning Administrator may consult with the Avon Public Works Director, Building Commissioner, or any other person, department, or group to determine if the project complies with all of the provisions of this Subdivision Control Ordinance. During the review process the Zoning Administrator may:
   a. Request additional information to be submitted,
   b. Request design clarification meetings,
   c. Request amendments in order to reach compliance, or
   d. Rendering a decision.

3. Render a Decision: The Zoning Administrator shall render a "decision to deny" or "decision to approve" the Improvement Location Permit for Site Work based on the information submitted and review for compliance.

4. Issuing an Improvement Location Permit for Site Work: If the proposed project complies with this Subdivision Control Ordinance, the Zoning Administrator shall render a decision to approve, document the terms of the approval on the permit, and then issue an Improvement Location Permit for Site Work.

5. Decision to Deny: If the proposed project does not comply with this Subdivision Control Ordinance, the Zoning Administrator shall not issue an Improvement Location Permit for Site Work. The Zoning Administrator shall document the reasons for not issuing an Improvement Location Permit for Site Work and convey that information to the applicant by email, U.S. Mail, or by telephone. If an email was used to communicate denial, a confirmation email shall be received and included in the file. Similarly, if a phone call is used to communicate denial, documentation of the phone call shall be included in the file. If a proposed project does not comply with this Subdivision Control Ordinance, the applicant may revise the application, or may pursue relief from this Subdivision Control Ordinance.

6. Allowance for Revision Prior to a Decision: At the discretion of the Zoning Administrator, the applicant may be permitted to modify the application form or attachments prior to a decision by the Zoning Administrator.

7. Allowance for Revision After a Decision: After a decision to deny, the applicant may revise the application form and/or attachments in order to comply with this Subdivision Control Ordinance without terminating the process.
8. **Pursuit of Relief:** After a decision to deny, the applicant may pursue an administrative appeal. During an appeal for relief, the application for an Improvement Location Permit for Site Work shall be suspended until the Board of Zoning Appeals rules on the matter.

E. **Duration:**

1. **Procedural Expiration:** An application shall expire and be void after the applicant is notified of a decision to deny unless the applicant makes revisions to the application or pursues relief from the Board of Zoning Appeals within sixty (60) days from notification.

2. **Commencement:** After an Improvement Location Permit for Site Work is issued, the project shall commence within three (3) years of the issuance date or shall become null and void.

3. **Expiration:** After an Improvement Location Permit for Site Work is issued, the project shall be completed within seven (7) years of the issuance date or shall be required to resubmit for approval of the remaining elements under the Subdivision Control Ordinance in effect at that time.

4. **Extensions:** If requested by the applicant, an Improvement Location Permit for Site Work may be extended one (1) time for up to six (6) months. The Zoning Administrator may grant or deny the requested extension. The Zoning Administrator's decision concerning the extension shall be fully discretionary.

F. **Modification After Issuance of an Improvement Location Permit for Site Work:** At the discretion of the Zoning Administrator, an Improvement Location Permit for Site Work may be modified if:

   - Warranted due to discoveries during construction or other significant finding;
   - Requested prior to permanent construction, installation, addition, alteration, or relocation of a structure; prior to permanent alteration to the land; and prior to establishment of a new land or change an existing land use;
   - Warranted due to discoveries during construction or other significant finding;
   - Requested prior to the applicable component of the project has been completed; or
   - The modification is not an attempt to correct a violation.

1. **Review of Modification:** If a modification is allowed, the Zoning Administrator shall request any necessary information, shall review the modification for its compliance to this Subdivision Control Ordinance, and then render a decision. If the proposed modification meets the provisions of this Subdivision Control Ordinance the Improvement Location Permit may be amended and filed. If denied to be considered or denied for non-compliance, the modification shall be disallowed; except that no modification of plans approved by a utility provider may be made without the approval and consent of the respective utility services provider.
4.09 Improvement Location Permit; Structures

A. Applicability: An Improvement Location Permit for Structures shall be required prior to building structures within a subdivision. The following are examples of work necessitating an Improvement Location Permit for Structures:
   - Installation of public or private utilities,
   - Construction of drainage infrastructure (e.g. pipes, inlets, outlets, rip-rap),
   - Installation of a construction trailer, and
   - Installation of monuments.

B. Inspections: Installation of public or private utilities and construction of drainage infrastructure is subject to inspection by the Town of Avon. The developer shall bear the cost of customary inspections.
4.10 Subdivision Waiver

A. **Intent:** When the Plan Commission finds that a hardship or extraordinary practical difficulty may result from strict compliance with the subdivision regulations and/or that the purposes of the subdivision regulations may be served to a greater extent by an alternative proposal, the Plan Commission may approve a Subdivision Waiver to the design standards.

B. **Applicability:**
   1. **Preliminary Plat:** The applicant may only file for a Subdivision Waiver petition in conjunction with a Primary Plat or a Primary Plat Amendment petition.
   2. **Public Facilities:** Where the Subdivision Waiver has an impact on engineering and construction of public facilities, all appropriate public agencies will be given ample time to comment in writing to the Plan Commission.
   3. **Exclusive Control:** It is not within the jurisdiction of the Board of Zoning Appeals to grant Variances to the standards in the Avon Subdivision Control Ordinance.

C. **Plan Commission:**
   1. **Review of Petition:** At a properly noticed public hearing, the Plan Commission shall review:
      a. The written request for a Subdivision Waiver and supportive material submitted by the applicant;
      b. The Primary Plat;
      c. The testimony of the petitioner;
      d. The written and oral testimony of the public;
      e. The Avon Comprehensive Plan;
      f. The applicable design and development standards;
      g. The Zoning Administrator's report; and
      h. Such other additional information as may be required by the Plan Commission to evaluate the petition.
   2. **Findings of Fact:**
      a. The Plan Commission may grant a Subdivision Waiver if, after a public hearing, it makes written findings of fact based upon the evidence presented to it in each specific case, that:
         i. The granting of the Subdivision Waiver shall not be detrimental to the public safety, health, or general welfare, or injurious to other property; and
         ii. The conditions upon which the request for a Subdivision Waiver is based are unique to the property for which the Subdivision Waiver is sought and are not applicable generally to other property; and
         iii. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the subdivision regulations is carried out (Financial hardship shall not constitute grounds for a waiver).
   3. **Decision:** The Plan Commission shall:
      a. Approve the petition;
      b. Approve the petition with conditions and/or commitments;
      c. Deny the petition; or
      d. Continue the petition to a definite future meeting date.
   4. **Approval:** The findings of fact shall be signed by the president of the Plan Commission and notice of the decision mailed to the applicant.
   5. **Denial:** The findings of fact shall be signed by the president of the Plan Commission and notice of the decision mailed to the applicant.

D. **Duration:**
   1. **Secondary Plat Application:** A Secondary Plat application shall be filed not later than twelve (12) months after the date of approval of the Primary Plat, otherwise the Subdivision Waiver shall be considered void.
   2. **Extension:** One (1) extension of up to six (6) months may be authorized by the Plan Commission at a regularly scheduled meeting. The petitioner shall submit the request for extension in writing to the Zoning Administrator who shall add the agenda item to the next available Plan Commission meeting.
5.01 General

The definitions contained in Article 5: Definitions shall be observed and applied in the interpretation of all Articles in the Subdivision Control Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

5.02 Defined Words

The following terms shall have the following meanings:

**A Zone**: "See Zone A."

**Access Street**: See "Street, Access."

**Adjacent Property**: Any property adjacent to or directly diagonal to the subject property. Properties across a public right-of-way are also considered adjacent. The illustration below notes the properties that would be considered adjacent to two (2) different subject properties.

![Adjacent Properties Diagram](image)

**Administrator**: See "Zoning Administrator."

**Advisory Plan Commission**: See "Plan Commission."

**Alley**: A public right-of-way or easement that provides secondary vehicular access to contiguous lots, typically providing vehicular access to detached garages located in the rear yard of a lot and/or for trash pickup services. A right-of-way or easement used for primary vehicular access or pedestrian-only facilities shall not be an alley.

**Applicant**: The owner, owners, subdivider, developer, or legal representative of real estate who makes application to the Zoning Administrator or Plan Commission for an action or approval identified in Article 4: Processes, Permits, and Fees.

**Arterial Street**: See "Street, Arterial."

**B Zone**: See "Zone B."

**Base Flood Elevation**: The calculated elevation of floodwater that represents a one percent (1%) annual chance flood. A base flood elevation is commonly referred to as a 100-year flood elevation.

**Base Zoning District**: See "Underlying Zoning District."

**Berm**: See "Landscape Mound."
Definitions - Condominium

**Block**: Property abutting on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway, or the end of a dead end street.

**Block Length**: A measurement rule used to determine the length of a block. The following methodology applies:
1. Measurements shall be taken along the centerline of the right-of-way.
2. The starting point shall be the centerline of an intersecting street, railroad, waterway, or end of a cul-de-sac or dead end street.
3. The finishing point shall be first occurrence of an intersecting street, railroad, waterway, or the end of a cul-de-sac or dead end street.

**Board**: See "Board of Zoning Appeals."

**Board of Zoning Appeals**: The Town of Avon Board of Zoning Appeals or any division thereof.

**Bond**: See "Surety."

**Buildable Lot**: See "Lot, Improved."

**Building**: A structure having a roof, supported by columns or walls, for the shelter, support, or enclosure of persons, property, or animals.

**Building Area**: The horizontal area of the buildings on a lot, measured from the outside exterior walls, excluding courtyards, terraces, unenclosed porches or decks, and architectural features that project no more than two (2) feet.

**Building Code**: The Indiana Building Code which establishes and controls the standards for constructing all forms of permanent structures and related matters.

**BZA**: See "Board of Zoning Appeals."

**C Zone**: See Zone C.

**Certificate of Occupancy**: A certificate stating that the occupancy and use of a structure complies with all applicable Town of Avon Zoning Ordinance and Subdivision Control Ordinance provisions.

**Commission**: See "Plan Commission."

**Comprehensive Plan**: The Town of Avon Comprehensive Plan.

**Condition of Approval**: Stipulations or provisions set forth by the Town Council, Board of Zoning Appeals, or Plan Commission required as a prerequisite for approval of an application.

**Condominium**: Real estate lawfully subject to IC 32-25, et seq. (the Condominium Law), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.
**Definitions - Construction Plan(s)**

**Construction Plan(s):** The maps or drawings showing the specific location and design of improvements to be installed in accordance with the requirements of the *Town of Avon Zoning Ordinance*, other governmental entities, and/or the Indiana Building Code.

**Corner Lot:** See "Lot, Corner."

**County:** Hendricks County, Indiana.

**Courtyard Garage:** A type of side-loading garage in which the garage forms an "L" shape with the main portion of the house, thus framing a "courtyard," and the garage door(s) face(s) said courtyard. Typically, a large apron of parking and maneuvering space fill the "courtyard" and a driveway connects the courtyard to the street.

**Covenants:** Private and legally binding restrictions of various kinds typically applied to lots within a subdivision or planned development by the subdivider before initial sale of lots. Covenants can also be applied to commercial and industrial subdivisions and developments. Covenants are enforceable in civil court by interested or affected parties with standing.

**Crown of Mound:** The area on a landscape mound measured from the crown to a point half-way to the base of the mound or closely approximated.

**Cul-de-sac:** A street having one (1) end connected to other public streets and the other end being permanently terminated by a vehicular turnaround (e.g. bulb).

**Dedication:** The setting apart and conveyance of land, drainage facilities or other publicly beneficial element to the Town of Avon.

**Design Speed:** The vehicular speed that the street is designed to safely accommodate.

**Developer:** The owner or legal representative of land proposed to be subdivided or used for new construction, typically excluding agricultural and single-family residential projects.

**Development:** The act of modifying a lot, parcel or property developing as a plan or method, or an image upon a photographic plate; gradual advancement or growth through a series of progressive changes; also, the result of developing, or a developed state.

**Improvement Location Permit:** A permit issued by the Zoning Administrator that grants written permission for a specified type of work to commence.

**Improvement Location Permit for Site Work:** A type of improvement location permit issued by the Zoning Administrator that grants written permission for site work and the installation of utilities to commence.

**Improvement Location Permit for Structures:** A type of improvement location permit issued by the Zoning Administrator that grants written permission for structure construction to commence.

**Director of Planning and Building:** See "Zoning Administrator."

**Drive, Private:** See "Street, Private."
**Article 5: Definitions**

**Driveway:** Any facility or structure used to convey vehicles to public streets.

**Easement:** A grant by a property owner ("grantor") to specific persons, the general public, corporations, utilities, or others (aka: "grantee" or "easement holder") for the purpose of providing services, facilities, infrastructure, landscaping, full access, or limited access on the subject property.

**Engineering and Construction Standards:** Any Town of Avon construction standard, Town of Avon ordinance, Town of Avon policy document, Town of Avon plan, ASHTO standard, ITE standard or similar document that the Town of Avon utilizes as a basis for materials, construction, design, and inspection of public infrastructure and facilities.

**Entryway Feature:** An aesthetically attractive area near vehicular entrances into a development using landscape material, landscape structures, and landscape lighting. A gateway feature may also include architectural elements (e.g. a gazebo), water fall, fountain, or the like that portrays a development theme or character complementary to the overall development and nearby developed area. A gateway feature may also include a ground sign, when permitted, and when it complies with design limitations for a sign.

**Erosion:** The wearing away of the land surface by water, wind, ice, gravity, or other geological agents.

**Expressway:** Any street that operates at a high service level, consists of limited access, is divided, carries region-wide traffic and is generally classified as part of the interstate system.

**Eyebrow:** A semi-circular extension of a curb on one (1) side of a street designed to provide more street frontage for a small number of lots.

**FBFM:** Flood Boundary and Floodway Map.

**FCC:** United States Federal Communications Commission.

**FEMA:** United States Federal Emergency Management Agency.

**FHBHM:** Flood Hazard Boundary Map.

**Fill Material:** A combination of top soil, soil, small aggregate, sand, organic material, or any similar resource which when used for altering topography must be able to sustain landscape material or when used under structures shall not conflict with proper foundations.

**Final Plat:** See "Plat, Final."

**FIRM:** Flood Insurance Rate Map.

**Five Hundred Year Flood:** The flood that has a two-tenths of one percent (0.2%) chance of being equaled or exceeded in any year.

**Flood:** A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

**Flood Protection Grade (FPG):** The elevation of the regulatory flood plus two (2) feet at any given location in the SFHA.

**Flood, Regulatory:** A flood having a peak discharge which can be equalled or exceeded on the average of once in a 100-year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. Further, this flood is equivalent to a flood having a one percent (1%) probability of occurrence in any given year.
**Floodplain**: The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by flood water. The floodplain includes the channel, floodway, and floodway fringe. Floodplain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration.

**Floodplain (100 year)**

**Floodway**: The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge peak flow of the regulatory flood of any river or stream and, is that area covered by floodwaters in significant downstream motion or covered by significant volumes of stored water during the occurrence of the regulatory flood.

**Floodway Fringe**: Those portions of the floodplain lying outside the floodway.

**Floodway, Regulatory**: The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge peak flow of the regulatory flood of any river or stream and, is that area covered by floodwaters in significant downstream motion or covered by significant volumes of stored water during the occurrence of the regulatory flood.

**Freeway**: See "Expressway."

**Front Line**: With respect to a structure, the foundation line that is nearest the front lot line.

**Front Lot Line**: See "Lot Line, Front."

**Front Yard**: See "Yard, Front."

**Gateway Feature**: See "Entryway Feature."

**Geographic Information System (GIS)**: A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis, and modeling.

**GIS**: See "Geographic Information System (GIS)."

**Grade, Finished**: The average elevation of the finished surface of the ground within ten (10) feet of the structure after final grading.

**Grantee**: A person or entity to whom an interest in property is granted.

**IAC**: Indiana Administrative Code.

**IC**: Indiana Code.

**IDEM**: Indiana Department of Environmental Management.

**IDNR**: Indiana Department of Natural Resources.

**Improved Lot**: See "Lot, Improved."

**Improvement**: Any permanent structure that becomes part of, placed upon, or is affixed to real estate, or any alteration to the land.

**Improvement, Off-site**: Any premises not located within the area of the property to be subdivided, used, or built upon whether or not in the same ownership of the applicant for subdivision approval.

**INDOT**: Indiana Department of Transportation.
Definitions - Landscape Lighting

**Interior Lot**: See "Lot, Interior."

**Interstate**: See "Expressway."

**Interested Party**: For notification purposes relative to public hearings, an owner of a tract of land (including those separated by a stream, regulated ditch, easement, right-of-way or similar geographical element) that is within six hundred sixty (660) feet but no more than two (2) property owners in depth of a tract of land that is the subject of a petition being considered by the Avon Plan Commission. The owner shall be identified by the transfer records of the Hendricks County Auditor’s office on the date the application is filed.

**Interested Person**: See "Interested Party."

**Jurisdiction**: See "Planning Jurisdiction."

**Land Alteration Permit**: See "Improvement Location Permit."

**Landscape Areas**: Defined spaces on a lot or abutting right-of-way that are identified for application of landscaping regulations. Landscape areas include: street tree planting areas and perimeter landscaping areas. The image below conceptually demonstrates the general location of each landscape area.

**Landscape Material**: Trees, shrubs, plants, ground cover, ornamental fences, irrigation systems, flower beds, decorative rocks, decorative concrete or other durable and natural looking edging, mulch, and the like. Artificial trees, shrubs, ground cover, and flowers are not considered landscape material.

**Landscape Mound**: A landscape feature used to add visual character and direct on-site drainage to approved locations; and to an ancillary degree, can provide a degree of screening or buffering. A landscape mound shall generally be created by using clean fill and top soil piled up in irregular, round or oblong shapes. Particularly, landscape mounds may have consistent or variable crest elevations, but shall be irregular in form, irregularly spaced, and overlapping such to emulate a blended topography and a natural landscape. Levy-like or continuous mounds with a generally consistent or repetitive cross-section shall not be considered a landscape mound. Mounds designed and used predominantly for screening or buffering shall not be considered a landscape mound.

**Landscape Structure**: Retaining wall, ornamental wall, landscape mound, decorative pond, pedestrian soft surface paths, benches, and the like. Pedestrian sidewalks and hard surface paths, and low volume and small scale water falls or fountains may be considered a landscape structure when it is clearly subordinate to and complementary of all other surrounding landscape material and landscape structures.

**Landscape Lighting**: Low voltage or very low light emitting fixtures that are used to accent a facade, architectural element, water feature, landscape material, and landscape structures. Landscape lighting shall not include building facade mounted, roof mounted, tree mounted, or pole mounted lights. Landscape lighting also shall not include lighting without proper shielding or design to direct light exclusively to its target. Lighting that is directed toward a right-of-way or that is clearly visible to pedestrian on pedestrian facilities shall not be considered landscape lighting.
**Definitions - Landscaping**

**Landscaping:** Aesthetic improvements using landscape material.

**Local Street:** See "Street, Local."

**LOMA:** Federal Emergency Management Agency Letter of Map Amendment.

**LOMR:** Federal Emergency Management Agency Letter of Map Revision.

**Lot:** A piece of land that was legally establish as having building rights through this or a pre-existing subdivision control ordinance, or that was established as having building rights prior to the incorporation of the Town of Avon.

**Lot, Corner:** A lot situated at the intersection of two (2) streets or which fronts a street on two (2) or more sides forming an interior angle of less than one hundred thirty-five degrees (135°).

**Lot, Improved:** A legally established lot upon which a structure may be constructed and occupied, or used as a result of having access to a public street, and has all required utilities available to the lot such as wastewater, water, electricity, etc.
**Lot, Interior**: A lot other than a corner lot or a through lot.

**Lot Line, Front (corner lot)**: The line marking the boundary between the lot and each of the abutting streets.

**Lot Line, Front (interior or through lot)**: The line marking the boundary between the lot and the abutting street, right-of-way or a lake or watercourse.

**Lot Line, Rear**: The lot line that is opposite the front lot line and farthest from it; or if the lots side yards converge in the rear the rear lot line shall be the point at which the side lot lines converge. (See Graphic for "Lot Line, Front (interior or through lot")

**Lot Line, Side**: A lot boundary line other than a front or rear lot line, typically near perpendicular to the front lot line. (See Graphic for "Lot Line, Front")

**Lot of Record**: A lot which is part of an approved subdivision plat (i.e. approved final plat) and recorded in the office of the Hendricks County Recorder.
**Lot, Through**: A lot fronting on two (2) generally parallel streets, or abutting two (2) streets which do not intersect along the boundaries of the subject lot. Also, a lot which front on both a street and a watercourse or lake.

**Lot Width**: The distance between the side lot lines as measured at the front setback line.

**Lowest Floor**: means the lowest elevation described among the following:
1. The lowest floor of a structure.
2. The basement floor.
3. The garage floor, if the garage is connected to the structure.
4. The first floor of a structure elevated on pilings or constructed on a crawl space.
5. The floor level of an enclosure below an elevated structure where the walls of the following requirements are satisfied:
   - The walls are designed to automatically equalize hydrostatic flood forces by allowing for the entry and exit of flood water.
   - At least two (2) openings are designed and maintained for the entry and exit of flood water, and these openings provide a total area of at least one (1) square inch for every one (1) square foot of enclosed floor area subject to flooding. The bottom of an opening can be no more than one (1) foot above grade.
   - Doorways and windows do not qualify as openings under this clause.

**Maintenance Surety**: A means for an applicant to assure that the Town of Avon would be provided the money or resource necessary to repair or rebuild any applicable improvements associated with a project in the event the installed applicable improvement fails or is found to be defective over the duration of the maintenance period.

**Master Plan**: See "Comprehensive Plan."

**MS4 Coordinator**: The person assigned the role of administering and managing municipal separate stormwater systems (MS4) and activities pursuant to the provisions of IC 35-9-25 et seq.

**National Geodetic Vertical Datum of 1929 (NGVD)**: As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

**New Construction in a Floodplain**: Any new primary structure or accessory structure, or any walled and roofed addition that is connected to an existing primary structure or accessory structure, or any new structure that is affixed to the ground and has over 600 cubic feet of mass.

**NFIP**: National Flood Insurance Program.

**Nonconforming Lot of Record**: A lot which was created such that it does not conform to the regulations of the district in which it is located.

**Nonconformity**: A use, structure or lot which does not conform with the development standard regulations of the zoning district in which it is located.

**Off-Site Improvement**: See "Improvement, Off-Site."

**One Hundred Year Flood (100-year Flood)**: See "Flood, Regulatory."

**One Percent Annual Chance Flood**: See "Flood, Regulatory."
**Open Space:** An area of land not covered by structures, parking structures, or accessory structures except for recreational structures. Open space may include nature areas, streams, flood plains, meadows or open fields containing baseball fields, football fields, soccer fields, golf courses, swimming pools, bicycle paths, etc. Open space does not include street rights-of-way, platted lot area, private yard, patio areas, or land scheduled for future development.

**OSHA:** Occupational Safety and Health Administration.

**Owner:** Any person, group of persons, company, corporation, or any other legal entity having title to the subject land (i.e. a lot) or their legal representative.

**Parcel:** See "Lot."

**Parent Tract:** One or more lots owned by one (1) person, persons in partnership, or a company and that are contiguous and are being used in combination for a subdivision proposal.

**Park, Public:** A parcel of land available to the public for passive and active recreation.

**Pedestrian Facility:** A sidewalk, sidepath, or trail.

**Performance Surety:** A means for an applicant to assure that the Town of Avon would be provided the money or resource necessary to finish or fix any applicable improvements associated with a project in the event the applicant cannot, does not, or otherwise defaults on completing the required or committed applicable improvements.

**Pervious Pavement:** A highly durable paving material that has high porosity which allows water to pass through, thus reducing runoff.

**Physical Map Revision (PMR):** FEMA map change that results in the publication of a new panel or annotated portion.

**Plan Commission:** A plan commission serving a single local government jurisdiction established as defined under the IC 36-7-1-2 (1983) as amended. The Avon Plan Commission is an Advisory Plan Commission.

**Planning Director:** See "Zoning Administrator."

**Planning Jurisdiction:** The area over which the Town of Avon exercises planning and zoning authority.

**Planning Staff:** See "Zoning Administrator."

**Plat:** A highly accurate map or plan illustration that shows a division of land and/or the layout for streets, common area, utilities, easements and the like that is intended to be filed for record.

**Plat Amendment:** See "Replat."

**Plat, Final:** The second of two required review processes to subdivide land pursuant to IC 36-7-4-700 Series. Also known as and synonymous with the Secondary Plat as described in IC 36-7-4-700 Series.

**Plat, Primary:** The first of two required review processes to subdivide land pursuant to IC 36-7-4-700 Series.

**Plat Vacation:** In accordance with IC 36-7-3, the process of vacating all or part of a plat, public way, or public easement that destroys the force and effect of the plat, or the subject portions thereof.

**Post-FIRM Construction:** The construction of a structure or substantial improvement that started on or after the effective date of the initial FIRM of the community or after December 31, 1974, whichever is later.

**Pre-FIRM Construction:** The construction of a structure or substantial improvement, which started on or before December 31, 1974, or before the effective date of the initial FIRM of the community, whichever is later.

**Primary Plat:** See "Plat, Primary."

**Private Street:** See "Street, Private."

**Public Improvements:** Any storm drainage facility, street, highway, parkway, sidewalk, pedestrian facility, street tree, on-street parking area, utility facility, or other infrastructure which is used by the public at large and may or may not be dedicated to a governmental entity for maintenance and operation responsibility.
**Public Place**: Any area on public or private property that is easily accessible and clearly visible to the general public. If located on private property, the area shall be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

**Public Street**: See "Street, Public."

**Public Utility**: See "Utility, Public."

**Public Way**: Highways, streets, avenues, boulevards, roads, lanes, or alleys.

**Public Works Director**: The Town of Avon's Public Works Director and his/her designee(s).

**Rear Lot Line**: See "Lot Line, Rear."

**Rear Yard**: See "Yard, Rear."

**Registered Land Surveyor**: A land surveyor properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

**Registered Professional Engineer**: An engineer properly licensed and registered or through reciprocity permitted to practice in the State of Indiana.

**Regulatory Flood**: See "Flood, Regulatory."

**Regulatory Floodway**: See "Floodway, Regulatory."

**Replat**: The process of vacating a plat and restarting the subdivision of land process.

**Right-of-Way**: A strip of land for public use, occupied or intended to be occupied by transportation facilities or other special public purposes. Utilities are often also installed in a right-of-way, but are not typically the primary purpose for its establishment.

**Road**: See "Street."

**ROW**: See "Right-of-Way."

**SFHA**: Special Flood Hazard Area.

**Side Lot Line**: See "Lot Line, Side."

**Side Yard**: See "Yard, Side."

**Sidepath**: An multi-use pedestrian facility similar to a sidewalk, but wider to accommodate walkers, joggers, cyclists and strollers; ideally constructed from asphalt to prevent a proliferation of tooled joints.

**Site Plan**: A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to structures, circulation, grading, trees, and landscaping, sufficient for review. A site plan shall serve as the development plan regulated by IC 36-7-4-1400.

**State**: The State of Indiana.

**Street**: Any federal, state, county or municipal or private facility that is designed primarily to convey motorized vehicles through an area or to a destination (e.g. a lot, residence, or business).

**Street, Access**: A frontage street that is designed to provide alternative access to lots abutting it.

**Street, Collector**: A street that is designed to carry high volumes of traffic, as depicted by the Thoroughfare Plan.

**Street, Interior**: A street within a development that provides access to lots that do not have access to a perimeter street. The hierarchical classification is not relevant.

**Street, Local**: A street designed primarily to provide access to abutting properties and discourage through traffic, as depicted by the Pavement Management System maintained by the Avon Street Department.

**Street, Arterial**: A street with access control and restricted parking, that collects and distributes traffic to and from secondary arterials. State and federal streets and highways are considered primary arterials.

**Street, Perimeter**: A pre-existing street that a new subdivision or development abuts.

**Street, Private**: Vehicular streets and driveways, paved or unpaved, that are maintained by the owner(s) and that are wholly within private property except where they intersect with other streets within public rights-of-way.
Article 5: Definitions

**Definitions - Technical Advisory Committee (TAC)**

**Street, Public:** All property dedicated or intended for public highway, freeway, or roadway purposes or subject to public easements therefore.

**Structure:**
1. Anything constructed, installed, or placed on a lot that is fastened to a foundation or that rests on a foundation; or
2. Anything constructed, installed, placed or parked on a lot and used for storage, recreation, employment, commerce, occupancy, shelter, containment of animals, or aesthetic enhancement; or
3. Any sign constructed, installed, placed or staked on a lot; or
4. Any heating, ventilation, or air conditioning (HVAC) equipment constructed, installed, or placed on a lot; or
5. Any tower, pole or frame used to mount an antenna, light fixture, sign, weather instrument, mailbox, or sport apparatus; or
6. Any fence, wall, enclosure, retaining wall or raised bed garden; or
7. Any material (e.g. stone, gravel, cobblestones, porous pavers, asphalt, concrete, bricks, or wood) placed on the ground, or any engineered method or enhancement to the earth used to stabilize or enhance the durability of the earth for the purpose of conveying, parking or storing vehicles; or
8. Any permanent foundation or sub-grade element that is constructed, installed, or placed on a lot; or
9. Any outdoor living amenity, outdoor fireplace, or fixed cooking device that is constructed, installed, or placed on a lot; or
10. Any above grade mechanical equipment, pump, digester, valve, fire hydrant, plumbing, pipeline, electrical equipment, substation, utility poles, cooling tower, storage tank, containment basin, or waste treatment system on a lot; or
11. Any sub-grade waste treatment system, well, irrigation system, culvert, tile, french drain, or drain constructed, installed, or placed on a lot, or
12. Any man-made lake, pond, landscape pond, retention pond, detention pond, drainage swale, waterfall, or fountain constructed, installed, or placed on a lot or any man-placed boulder on a lot; or
13. Any man-made berm, levy, dike, dam, hill, depression on a lot; or
14. Any trash receptacle, dumpster, or recycling bin.

A structure shall not include:
1. Anything enclosed within a building; or
2. A semi tractor-trailer, bus, recreational vehicle, box truck, work truck, pick-up truck, passenger vehicle, motorcycle or other vehicles used for transporting people or material that is licensed, fully operable, parked on an improved surface, and that is not being used for overnight occupancy or long-term storage; or
3. Trees, shrubs, flowers, grass, and other living plants; or
4. Non-fixed cooking devices when located on a porch, patio, deck or similar outdoor living space; or
5. Anything specifically or partially excluded as a structure within the Town of Avon Zoning Ordinance or Subdivision Control Ordinance.

**Subdivision:** The division of a parcel of land into at least two (2) or more smaller lots; or the combination of two (2) or more parcels into fewer lots.

**Subdivision, Major:** The subdivision of a parcel of land into five (5) or more residential, commercial, or industrial lots, including the remainder of the original parcel.

**Subdivision, Minor:** The subdivision of a parcel of land into three (3) or less residential, commercial or industrial lots, including the remainder of the original parcel that does not involve a new street or easement of access.

**Surety:** Any form of security including, but not limited to, a cash deposit, bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Avon Town Council.

**Technical Advisory Committee (TAC):** The group of agencies notified of the proposed subdivision of land and asked to review and comment including, but not limited to, the Planning and Building Department, Avon Public Works Director, Fire Department, Police Department, Hendricks County Surveyor’s office, Utility Departments, applicable consultants, applicable utilities and other relevant agencies.
**Definitions - Thoroughfare**

**Thoroughfare**: A public way or public place that is included in the Thoroughfare Plan. The term includes the entire right-of-way for public use of the thoroughfare and all surface and subsurface improvements on it such as sidewalks, curbs, and shoulders.

**Thoroughfare Plan**: The official plan, now and hereafter adopted, which includes a street plan, sets forth the location, alignment, dimensions, identification, and classification of existing and proposed streets, and other thoroughfares, as found in the *Town of Avon Comprehensive Plan*.

**Through Lot**: See "Lot, Through."

**Town**: Town of Avon, Indiana.

**Town Official**: A member of the Avon Town Council, Plan Commission, Plan Commission staff, Board of Zoning Appeals, or an employee of the Town of Avon.

**Tree Plot**: That portion of a public right-of-way lying between the back face of the curb and the leading edge of the sidewalk, not covered by paving, often used to plant street trees.

**Underlying Zoning District**: The zoning district that applies to a lot.

**Utility**: An offering to the public for:
1. The provision of communication services as defined in *IC 8-1-32.5-3*,
2. The production, transmission, delivery, or furnishing of heat, light, water, or power, either directly or indirectly to the public,
3. The provision of communication services as defined in *IC 8-1-32.5-3*,
4. Collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste, or
5. Collection, treatment, purification and discharge of storm water.

**Utility Provider**: Any entity which is legally authorized to furnish electricity, gas, steam, communication, cable, fiber optics, internet connection, water distribution, water purification, or sewage collection systems, sewage treatment system and the like.

**Watercourse**: A lake, river, creek, stream, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur. However, a watercourse does not include an aquifer or other underground water source.

**Water Surface Elevation**: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

**X Zone**: See "Zone X."

**Yard**: A space on the same lot with a primary structure that is open and unobstructed except as otherwise authorized by the *Town of Avon Zoning Ordinance* or Subdivision Control Ordinance. All required yards shall be kept free of all material including but not limited to structures, material for sale, storage, advertising or display to attract attention and parking lots.
Yard, Front: The horizontal space between the nearest foundation or structural appurtenance, or roof eave (whichever is closer) to the Front Lot Line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the Front Lot Line. (See Graphic for "Yard").

Yard, Rear: The horizontal space between the nearest foundation or structural appurtenance of a building to a rear lot line and that rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the foundation to the rear lot line. Corner lots do not have rear yards, rather they have two (2) side yards. (See Graphic for "Yard").

Yard, Side: The horizontal space between the nearest foundation or structural appurtenance of a building to the side lot line. (See Graphic for "Yard").

Zone A: Portions of the SFHA in which the principal source of flooding is runoff from rainfall, snow melt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

1. Zone A: Areas subject to inundation by the one percent (1%) annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.

2. Zone AE and A1-A30: Areas subject to inundation by the one percent (1%) annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)

3. Zone AO: Areas subject to inundation by one percent (1%) annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one (1) and three (3) feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

4. Zone AH: Areas subject to inundation by one percent (1%) annual chance shallow flooding (usually areas of ponding) where average depths are from one (1) to three (3) feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

5. Zone AR: Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.

6. Zone A99: Areas subject to inundation by the one percent (1%) annual chance flood event, but which will ultimately be protected upon completion of an under-construction federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

Zone A1-A30: See "Zone A."

Zone A99: See "Zone A."

Zone AE: See "Zone A."

Zone AH: See "Zone A."

Zone AO: See "Zone A."

Zone AR: See "Zone A."

Zone B: Areas identified as areas of moderate or minimal hazard from the principal source of flood in the area. However, structures in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)
Definitions - Zone C

**Zone C**: Areas identified as areas of moderate or minimal hazard from the principal source of flood in the area. However, structures in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of Zones B and C.)

**Zone, Floodplain**: A geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

**Zone X**: The area where the flood hazard is less than that in the SFHA. Shaded X Zones shown on recent FIRMs (B Zones on older FIRMs) designate areas subject to inundation by the flood with a two-tenths of one percent (0.2%) chance of being equaled or exceeded (the 500-year flood). Unshaded X Zones (C Zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than two-tenths of one percent (0.2%).

**Zoning Administrator**: The officer appointed by and/or delegated the responsibility for the administration of the Subdivision Control Ordinance. The term “Zoning Administrator” includes his/her delegates or other Plan Commission authorized representatives.
## Engineering Standards: Roadway Development

<table>
<thead>
<tr>
<th>Design Standards</th>
<th>Alleys</th>
<th>Neighborhood Side Street with Tree Lawn</th>
<th>Neighborhood or Business Collector with Tree Lawn</th>
<th>Local Boulevard with Tree Lawn</th>
<th>Rural Collector</th>
<th>Urban Collector</th>
<th>Rural Minor Arterial</th>
<th>Urban Minor Arterial</th>
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</thead>
<tbody>
<tr>
<td>Street Section Figure # (see following pages)</td>
<td>N/A</td>
<td>1A</td>
<td>1B</td>
<td>2A</td>
<td>2B</td>
<td>3A</td>
<td>3B</td>
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<td>24 ft</td>
<td>34 ft</td>
<td>24 ft</td>
<td>36 ft</td>
<td>40 ft</td>
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<tr>
<td>Minimum Travel Lane Width</td>
<td>8 ft</td>
<td>11 ft</td>
<td>12 ft</td>
<td>11 ft</td>
<td>11 ft</td>
<td>12 ft</td>
<td>12 ft</td>
<td>12 ft</td>
</tr>
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<td>On-Street Parking Permitted</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>Sidewalk Required on Both Sides</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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<tr>
<td>Minimum Sidewalk Width</td>
<td>N/A</td>
<td>5 ft</td>
<td>5 ft</td>
<td>5 ft</td>
<td>5 ft</td>
<td>5 ft</td>
<td>5 ft</td>
<td>6 ft</td>
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<tr>
<td>Multi-use Path Required on One Side</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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<td>Minimum Multi-use Path Width</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
<td>10 ft</td>
</tr>
<tr>
<td>Minimum Curb Corner Radius</td>
<td>10 ft</td>
<td>10 ft</td>
<td>15 ft</td>
<td>15 ft</td>
<td>INDOT</td>
<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
</tr>
<tr>
<td>Maximum Centerline Radius</td>
<td>100 ft</td>
<td>100 ft</td>
<td>180 ft</td>
<td>180 ft</td>
<td>INDOT</td>
<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
</tr>
<tr>
<td>Minimum Road Centerline Grades</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
</tr>
<tr>
<td>Maximum Road Centerline Grades</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
<td>8%</td>
</tr>
<tr>
<td>Minimum Tangent Section Between Curves or Traffic Calming Devices</td>
<td>50 ft</td>
<td>50 ft</td>
<td>100 ft</td>
<td>100 ft</td>
<td>INDOT</td>
<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
</tr>
<tr>
<td>Maximum Tangent Section Between Curves</td>
<td>300 ft</td>
<td>300 ft</td>
<td>500 ft</td>
<td>500 ft</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>Minimum Tangent Section at Intersection</td>
<td>0 ft</td>
<td>0 ft</td>
<td>50 ft</td>
<td>50 ft</td>
<td>100 ft</td>
<td>100 ft</td>
<td>100 ft</td>
<td>100 ft</td>
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<tr>
<td>Maximum Tangent Section at Intersection</td>
<td>N/A</td>
<td>300 ft</td>
<td>500 ft</td>
<td>500 ft</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Minimum Distance Between Intersections with same or higher order streets</td>
<td>1 lot Depth</td>
<td>2 Lot Depth</td>
<td>2 Lot Depth</td>
<td>2 Lot Depth</td>
<td>1/4 mile</td>
<td>1/4 mile</td>
<td>1/2 mile</td>
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<td>Maximum Distance Between Intersections with same or higher order streets</td>
<td>660 ft</td>
<td>660 ft</td>
<td>1000 ft</td>
<td>1000 ft</td>
<td>1/2 mile</td>
<td>1/2 mile</td>
<td>1 mile</td>
<td>1 mile</td>
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<td>Distance Between Public Roadway Intersections and Full Access Commercial/Industrial Curb Cuts</td>
<td>N/A</td>
<td>100 ft</td>
<td>150 ft</td>
<td>150 ft</td>
<td>300 ft</td>
<td>300 ft</td>
<td>400 ft</td>
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<td>Distance Between Public Roadway Intersections and Right-in/Right-out Commercial/Industrial Curb Cuts</td>
<td>N/A</td>
<td>100 ft</td>
<td>150 ft</td>
<td>150 ft</td>
<td>200 ft</td>
<td>200 ft</td>
<td>300 ft</td>
<td>300 ft</td>
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<tr>
<td>Minimum Cul-de-Sac Street Length</td>
<td>N/A</td>
<td>300 ft</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<tr>
<td>Maximum Cul-de-Sac Street Length</td>
<td>N/A</td>
<td>600 ft</td>
<td>N/A</td>
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<tr>
<td>Minimum Cul-de-Sac Pavement Radius</td>
<td>N/A</td>
<td>50 ft</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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<td>N/A</td>
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<td>Maximum Cul-de-Sac R/W Radius</td>
<td>N/A</td>
<td>60 ft</td>
<td>N/A</td>
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<td>N/A</td>
<td>N/A</td>
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<td>Minimum Cul-de-Sac Center Island Radius</td>
<td>N/A</td>
<td>20 ft</td>
<td>N/A</td>
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<td>N/A</td>
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<tr>
<td>Minimum Street Vertical Curve Length from Crest</td>
<td>K=10</td>
<td>K=10</td>
<td>K=10</td>
<td>K=10</td>
<td>INDOT</td>
<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
</tr>
<tr>
<td>Minimum Street Vertical Curve Length from Sag</td>
<td>K=20</td>
<td>K=20</td>
<td>K=30</td>
<td>K=30</td>
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<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
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<tr>
<td>Minimum Stopping Sight Distance</td>
<td>130 ft</td>
<td>130 ft</td>
<td>200 ft</td>
<td>200 ft</td>
<td>INDOT</td>
<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
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<tr>
<td>Minimum Intersection Sight Distance</td>
<td>200 ft</td>
<td>200 ft</td>
<td>300 ft</td>
<td>300 ft</td>
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<td>NDOT</td>
<td>INDOT</td>
<td>NDOT</td>
</tr>
<tr>
<td>Required Pavement Markings</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
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<tr>
<td>Required Regulatory Signs</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
<td>YES per MUTCD</td>
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<tr>
<td>Intersections - Minimum Angle</td>
<td>80 deg</td>
<td>80 deg</td>
<td>80 deg</td>
<td>80 deg</td>
<td>85 deg</td>
<td>85 deg</td>
<td>85 deg</td>
<td>85 deg</td>
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<tr>
<td>Intersections - Desired Angle</td>
<td>90 deg</td>
<td>90 deg</td>
<td>90 deg</td>
<td>90 deg</td>
<td>90 deg</td>
<td>90 deg</td>
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<td>90 deg</td>
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</tbody>
</table>

1. Parking restricted 100 feet from intersections measured from road edge
2. Cul-de-Sac Center Island must use mountable (rolled) curb
3. Dedicated Left Turn lanes required for all intersections and commercial/industrial curb cuts on Thoroughfares
4. Distance between intersections and curb cuts measured from the stop bar to the closest edge of driveway
5. Parking not permitted on Cul-de-Sac Circle
6. Installation of No Parking signs, where needed, are the responsibility of the developer
Figure 1A: Neighborhood Side Street Cross Section

Notes:
• Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
• Not to serve more than 30 home sites
• Not allowed for R-3 zoning or average lot width of less than 90 feet
• Parking allowed both sides, infrequent on-street parking expected
• Parking not allowed within 100 feet of intersection

Figure 1B: Neighborhood Side Street Cross Section

Notes:
• Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
• Not to serve more than 30 home sites
• Not allowed for R-3 zoning or average lot width of less than 90 feet
• Parking allowed both sides, frequent on-street parking expected
• Parking not allowed within 100 feet of intersection
Notes:

- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- Not allowed for R-3 zoning or average lot width of less than 90 feet
- Parking allowed both sides, infrequent on-street parking expected
- Parking not allowed within 100 feet of intersection
Engineering Standards: Figure 3A and Figure 3B

**Figure 3A: Local Boulevard Cross Section**

Notes:
- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- No driveways allowed
- No parking allowed

**Figure 3B: Local Boulevard Cross Section**

Notes:
- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- Parking allowed both sides
- Frequent on-street parking expected
- Parking not allowed within 100 feet of intersection
Notes:

- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- All curb to be chairback curb
- No parking allowed

Figure 4A: Rural Collector Cross Section

Figure 4B: Urban Collector Cross Section

Notes:

- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- All curb to be chairback curb
- No parking allowed
Appendix A: Engineering Standards

Figure 5A: Rural Arterial Cross Section

Notes:
- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- 9 foot grass shoulder and swale with 4:1 side slopes.
- Reserved: Future 12 foot turn lane with curb and 8 foot utility strip (typ).
- All curb to be chairback curb
- No parking allowed

Figure 5B: Urban Arterial Cross Section

Notes:
- Use concrete walk or asphalt trail per Avon Bicycle and Pedestrian Plan
- 9 foot grass shoulder and swale with 4:1 side slopes.
- Reserved: Future 12 foot turn lane with curb and 8 foot utility strip (typ).
- All curb to be chairback curb
- No parking allowed