

AVON ZONING ORDINANCE

APPENDIX A. REVISION HISTORY

APPENDIX A. DEVELOPMENT REVIEW SUBMISSION REQUIREMENTS

Ordinance #	Plan Commission Approval Date	Town Council Adoption Date	Description
2010-02	03-22-10	04-08-10	Appendix A-8, PUD Revision
2010-09	06-28-10	07-08-10	Appendix A-7, DPR Revision

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APPENDIX A. DEVELOPMENT REVIEW SUBMISSION REQUIREMENTS

Appendix A-1. Minimum Submission Requirements

As provided for in Chapter 3, Section 3-1(3), the minimum submission requirements for development approval applications are set forth below. The Plan Commission shall have the authority to waive any of the following submission requirements when, in their judgment, such waiver is appropriate in light of the relief being sought or in light of special circumstances making compliance with those provisions either unnecessary or unduly burdensome.

Appendix A-2. Minimum Submission Requirements for Improvement Location Permits and Certificates of Occupancy

1. A completed application containing the applicant's name, address, and proof of interest in the subject property, and the owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
2. The street address and legal description of the property subject to the application.
3. The zoning classification and present land use of the subject property.
4. Four (4) copies of detailed site plan prepared by a professional engineer, architect or surveyor under and bearing a professional seal and depicting the following elements:
 - A. General vicinity map;
 - B. Property boundary lines including any easements and all adjacent streets;
 - C. Elevation marks and contours;
 - D. Traffic and circulation plan and a pedestrian circulation plan;
 - E. Parking and loading plan, including refuse and trash storage areas;
 - F. Landscaping plan, indicating plant types, numbers, location, size, and method of installation and an open space plan;
 - G. Grading and surface drainage plan in accordance with the Subdivision Control Ordinance and the Storm Drainage, Erosion and Sediment Control Ordinance;
 - H. Utilities plan (existing and proposed) showing location and size, signage plan showing location and size, and lighting plan showing location and size;
 - I. Proposed improvements showing location, dimensions and configuration of existing and proposed buildings, structures, and uses;
 - J. Floor plans (both in paper and digital format), building plans and elevations of all structures;
 - K. Fire Safety Plans, including specifications for fire alarm systems, fire extinguishing systems, halon systems and other automatic fire-extinguishing systems, basement pipe inlets, and all other fire protection systems and appurtenances as well as occupant load calculations; and
 - L. Development summary indicating lot area, building square footage, lot coverage building height, number and size of dwellings units and structures, and the number of parking spaces provided.
5. Such other and further information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and deposition of the particular application.

Appendix A-3. Minimum Submission Requirements for Special Exceptions

1. A Letter of Intent.
2. A completed application containing the applicant's name, address, and proof of interest in the subject property, and the owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
3. The names and addresses of all professional consultants advising the applicant with respect to the

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proposed development.

4. The street address and legal description of the property subject to the property.
5. The zoning classification and present land use of the subject property.
6. Three (3) copies of a current property survey locating permanent structures, six copies of a proposed site plan showing the intended use and six (6) copies of a traffic study indicating the impact caused by the intended use. Submitted along with the plans shall be a written description of the proposed use.
7. The particular provision of the Ordinance authorizing the proposed special exception and a written statement addressing each of the standards set forth in Chapter 4, Section 4-2 (Special Exceptions), and such additional standards, if any, as may be imposed by the specific provisions of this Ordinance. The statement shall state specifically how the proposed special exception relates to and meets each such standard.
8. Such other and further information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and deposition of the particular application.

Appendix A-4. Minimum Submission Requirements for Variances

1. A Letter of Intent.
2. A completed application containing the applicant's name, address, and proof of interest in the subject property, and the owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
3. The address and legal description of the property subject to the application.
4. The names and addresses of all professional consultants advising the applicant with respect to the proposed development.
5. Two (2) copies of a property survey, certified by a registered land surveyor, showing existing lot lines and dimensions as well as lot area, all easements, all public and private rights-of-way and all streets across and adjacent to the subject property.
6. A statement indicating the specific provision of this Ordinance from which the variance is being sought. The statement should also contain all the circumstances, factors, and arguments that the applicant offers in support of the proposed variance, including an explanation of how the application satisfies each standard set forth in Chapter 4, Section 4-3 (Variances).
7. A description, plan or graphic representation of any development or construction that will occur or any use that will be established or maintained if the requested relief is granted.
8. A letter of acknowledgment from each adjacent property owner indicating, that he or she has notice of the proposed variance.
9. Such other and further information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and deposition of the particular application.

Appendix A-5. Minimum Submission Requirements for Amendments

1. A completed petition containing the petitioner's names, address, and interest in the petition and the names, address and interest of every person, firm, corporation, or governmental agency represented by the petitioner in the petition.
2. If the amendment is a text amendment, the precise wording of the proposed amendment, together with concise explanation of its presumed effect.

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3. A statement containing all the circumstances, factors, and arguments that the petitioner offers in support of the proposed amendment, including an explanation of how the petition satisfies each of the standards set forth in Chapter 4, Section 4-6 (Amendments);
4. In the event that the proposed amendment would result in the reclassification of any property:
 - A. A statement specifying the names of the owners of the land proposed to be reclassified. [Owners of a majority of the land must be parties to a petition to reclassify land.];
 - B. The street address of the land proposed to be reclassified;
 - C. A legal description of the land proposed to be reclassified; and
 - D. The present zoning classification and use of the land proposed to be reclassified.
5. Such other and further information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and deposition of the particular application.

Appendix A-6. Minimum Submission Requirements for Administrative Interpretations

1. A completed application containing the applicant's name, address, and proof of interest in the subject property, and the owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
2. The specific provision or provisions of this Ordinance for which the interpretation is being sought.
3. The facts and the specific situation giving rise to the request for interpretation.
4. The precise interpretation claimed by the applicant to be correct.
5. When a use interpretation is sought:
 - A. The use permitted pursuant to the present zoning classification of the subject property that is claimed by the applicant to include, or to be most similar to, the proposed use.
 - B. A statement containing all the circumstances, factors, and arguments that the applicant offers in support of the proposed use interpretation, including an explanation of how the petition satisfies each of the standards set forth in Chapter 4, Section 4-7 (Interpretations); and
 - C. Such other and further information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and deposition of the particular application.

Appendix A-7. Minimum Submission Requirements for Development Plan Review

1. A Letter of Intent.
2. A completed application containing:
 - A. the applicant's name, address, and proof of interest in the subject property, and the owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application;
 - B. The street address and legal description of the subject property;
 - C. A written request specifying any waiver(s) requested, and Findings supporting any such request; and
 - D. The zoning classification and present use of the subject property;
3. One (1) copy of an architectural plan of the proposed project showing exterior elevations, floor plans and building materials used (all sides and roof). Seven (7) copies of a site plan, prepared by a professional engineer, architect or surveyor under and bearing a professional seal and depicting the following elements:
 - A. General vicinity map;

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- B. Property boundary lines including any easements;
 - C. Elevation marks and contours;
 - D. Traffic and circulation plan, including a Traffic Impact Study or Traffic Impact Analysis when required;
 - E. Pedestrian circulation plan;
 - F. Adjacent streets;
 - G. Parking and loading plan;
 - H. Landscaping plan, indicating plant types, numbers, location, size, and method of installation;
 - I. Grading and surface drainage plan in accordance with the Subdivision Control Ordinance and the Storm Drainage, Erosion and Sediment Control Ordinance;
 - J. Utilities plan (existing and proposed) showing location and size;
 - K. Signage plan showing location and size;
 - L. Lighting plan in accordance with Section 14-15(11);
 - M. Open space and recreation plan;
 - N. Refuse and trash storage areas, including elevations and building materials;
 - O. Proposed improvements showing location, dimensions and configuration of existing and proposed buildings, structures, and uses;
 - P. Floor plans, building plans and elevations of all structures;
 - Q. Fire Protection Plan showing fire hydrant location, water main size and details of installation, location of remote connection to sprinkler system (if provided), fire flow calculations, and the location of fire lanes and emergency access roads (when required); and
 - R. Development summary indicating lot area, building square footage, lot coverage building height, number and size of dwellings units and structures, and the number of parking spaces provided;
4. Additional Studies: The Zoning Administrator or the Plan Commission may require additional studies including, but not limited to, a traffic study, a wetland mitigation plan, environmental studies, and/or a market study. The Zoning Administrator shall inform the petitioner of such requirements during the pre-application meeting. However, this shall not preclude the Plan Commission from requesting additional information which they feel is necessary for their review of the proposed development.
5. The applicant shall obtain the names and addresses of the property owners within six hundred and sixty (660) feet of the property lines being considered or to a depth of two (2) ownership's. A copy of the portion of the Plat Map showing the location of these properties shall also be included in the application.
6. Such other and further information or documentation as the Zoning Administrator may deem to be necessary or appropriate for a full and proper consideration and deposition of the particular application.

Appendix A-8. Minimum Submission Requirements for Planned Unit Developments District

1. Submittal Requirements

- A. Any Planned Unit Development zoning district request shall submit the following minimum information:
- (a) Text and Table Submittals:
 - (1) Legal Description;
 - (2) Letter of Intent;
 - (3) Draft PUD district zoning standards;
 - (4) Comparison of proposed standards and existing Avon ZO standards;
 - (5) Permitted Use table;
 - (6) Comparison of permitted uses and existing Avon ZO permitted uses;
 - (7) Proposed infrastructure standards;

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- (8) Comparison of existing infrastructure standards and proposed standards;
- (9) Market Survey;
- (10) Fiscal Impact Analysis
- (11) Traffic Analysis;
- (12) Phasing Schedule;
- (13) Proposed Commitments; and
- (14) Draft Covenants.

(b) Graphic Submittals

- (1) Survey / Plot Plan;
- (2) Area Map;
- (3) Existing site plan;
- (4) Topography;
- (5) Existing waterways and wetlands;
- (6) Tree Identification Plan;
- (7) Proposed underlying zoning district plan;
- (8) Yield Plan
- (9) PUD Concept Plan;
- (10) PUD Open Space Plan;
- (11) PUD Alternative Transportation Network Plan;
- (12) Proposed infrastructure plan;
- (13) Sample Floor Plans and Elevations;
- (14) Sample lighting plan; and
- (15) Sample landscaping plan;

2. Forms of Filing

A. Information submitted as part of any Planned Unit Development zoning district request shall take the following form:

(a) Text and Table Submittals shall be provided in the following format:

- (1) on 8 ½” x 11” plain copy paper,
- (2) in a minimum ten (10) point font;
- (3) with a minimum 1’ margin on all sides;
- (4) With a header listing the both the name of the chapter of the submittal and the corresponding numbered tab;
- (5) With a footer listing the page of the chapter and the date of most recent revision
- (6) In a three-hole punched ring binder;
- (7) With numbered tabs separating each chapter and exhibit.

(b) Text and Table submittals shall be submitted in the following quantities:

- (1) Three (3) paper copies;
- (2) One (1) Microsoft Word 2007 version (for review and comment);
- (3) One (1) Adobe PDF version, release 5.0 or later.

(c) Graphic Submittals shall be submitted in the following format:

- (1) 11”x17” maximum size;
- (2) plain or gloss-finish paper;
- (3) with a title block identifying the nature and title of the specific graphic exhibit; and
- (4) with a title block listing the date of the most recent revision and noting the nature of any revisions;

3. Specific Requirements – Text and Table Submittals

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A. Legal Description:

- (a) The submitted legal description shall match the version on record with the Hendricks County Recorder's office as of the date of submittal;
- (b) shall include all properties within the subject site, and
- (c) shall identify any exceptions or exclusions from the subject site.

B. Letter of Intent:

- (a) The submitted letter of intent shall explain any unique or distinguishing characteristics of the proposed PUD, and shall provide a summary or overview of the proposal.
- (b) The submitted letter of intent shall not duplicate information listed in other required forms of filing, and shall not provide information that conflicts with other required forms of filing.

C. Draft PUD district zoning standards:

- (a) Shall use a numbered and/or lettered organizational system; and
- (b) Shall not use "bullets."
- (c) Shall address the provisions typically found within the Town of Avon Zoning Ordinance (*i.e.*: setback, maximum and minimum building height, required parking) in a manner consistent with the treatment of the district by the Avon Zoning Ordinance unless the proposed PUD zoning district establishes an acceptable alternative means of regulating development standards within the subject site (*ex*: Form-Based Code).

D. Comparison of Proposed PUD zoning standards and existing Avon Zoning Ordinance standards:

- (a) Shall use the current standards of the Avon ZO as the basis for the comparison.

E. Permitted use table:

- (a) Shall use alternating colored background shading to distinguish and separate individual proposed uses; and
- (b) Shall include a legend or key identifying indicators for "Permitted," "Conditional," "Prohibited," and any other manner of listed use.
- (c) Shall include any specific restrictions for any specified uses either
 - (1) Within the text of the permitted use table or
 - (2) As a numbered footnote, referencing a list of specific restrictions.
- (d) Shall provide a list of uses specifically prohibited within the proposed PUD zoning district, and
- (e) Shall include a note stating that uses not expressly listed within the table shall be considered prohibited.

F. Comparison of permitted uses and existing Avon ZO standards:

- (a) Shall use the current permitted uses of the applicable district of the Avon ZO as the basis for the comparison.

G. Proposed infrastructure standards:

- (a) Shall use a numbered and/or lettered organizational system and shall not use bullets;
- (b) Shall be accompanied by scaled drawings depicting the proposed infrastructure standard; and
- (c) May be required to bear the stamp of a registered Engineer if requested by the Avon Public Works Department or any participating utility.

H. Comparison of proposed infrastructure standards and existing standards:

- (a) Shall use a numbered and/or lettered organizational system and shall not use bullets;

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(b) Shall include details or scaled drawings depicting the existing infrastructure standard.

I. Market Survey:

(a) Shall identify the extent of market demand for the uses proposed in the planned unit development;

(b) Shall provide analysis of:

- (1) Demographics;
- (2) Sales potentials;
- (3) Competitive alignment;
- (4) Assessment of market share; and
- (5) Market positioning of each component of the planned unit development.

J. Fiscal Impact Analysis:

(a) Shall indicate the anticipated fiscal impact of the planned unit development on major taxing bodies which shall include, but not be limited to:

- (1) The municipal corporation,;
- (2) School district(s); and
- (3) Other taxing bodies as identified by Town of Avon staff.

(b) The study shall include detailed estimates of:

- (1) The expected population of the development;
- (2) the operating cost to be incurred by each taxing body;
- (3) Any additional major capital investments required, in part or in whole, because of the planned unit development;
- (4) The value of any land to be dedicated or donated; and
- (5) The revenue generated for each taxing body by the planned unit development to offset service and fiscal demands created by the planned unit development.

K. Traffic Impact Analysis:

(a) Shall be of a scope determined by the Town of Avon Public Works Department;

(b) Shall be provided in a format determined by the Town of Avon Public Works Department.

L. Phasing Schedule:

(a) Shall establish a proposed earliest start date for each identified section of the proposed PUD zoning district;

(b) Shall establish a proposed latest start date for each identified section of the proposed PUD zoning district; and

(c) Shall identify any limits to beginning construction of any specific section based on completion of all or a portion of any other section.

M. Proposed Commitments:

(a) Shall be submitted on the approved Town of Avon form found in appendix "B" of the Avon Zoning Ordinance.

(b) Shall be divided into sections corresponding with:

- (1) General Commitments;
- (2) Use Commitments;
- (3) Development Standards Commitments;
- (4) Architectural Standards Commitments;
- (5) Infrastructure Commitments; and
- (6) Land Dedication Commitments.

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N. Draft Covenants:

- (a) Shall describe the manner in which maintenance and upkeep of any required open space, natural area, or public facility not expressly dedicated to the public shall be accomplished.

4. Specific Requirements – Graphic Submittals

A. Survey / Plot Plan:

- (a) Shall include the names of all metes and bounds property owners, boundary lines of recorded subdivisions, zoning and land use of adjacent properties.
- (b) Shall identify the acreage of any included parcel.
- (c) Shall include all boundary lines, with bearings and distances to recognized monuments.

B. Area Map

- (a) Shall identify existing land-use of the site and all properties adjacent to the site;
- (b) Shall identify zoning of the site and all properties adjacent to the site; and
- (c) Shall show the general location of the proposed development referenced to major streets and section lines.

C. Existing Site Plan:

- (a) Shall depict general conditions of the subject site, including:
 - (1) actual direction and gradient of ground slope;
 - (2) any embankments or retaining walls;
 - (3) character and location of major buildings, railroads, power lines, towers and other nearby nonresidential land-uses or adverse influences;
 - (4) Existing access points to public rights-of-way;
 - (5) Any public rights-of-way within the subject site;
 - (6) Any private drives within the subject site;
 - (7) Any major infrastructure, including ponds.

D. Topography Plan:

- (a) Shall depict one (1) foot contours for the subject site;
- (b) Shall depict five (5) foot contours on the first 50 feet on all adjacent tracts of land.

E. Existing waterways, wetlands, and flood areas plan:

- (a) Shall identify any existing waterway;
- (b) Shall identify any inventoried or suspected wetland;
- (c) Shall identify the location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the site.

F. Tree Identification Plan

- (a) Shall generally indicate the location of any existing tree stands, fencerows, and tree lines;
- (b) Shall identify the general location and limits of any proposed tree preservation area;
- (c) When the text of the accompanying PUD zoning district proposes any credit or other valuation for any tree preservation, the submitted Tree Identification Plan shall include a Tree Inventory that identifies the location, caliper, and species of any tree above twelve (12) inches in trunk caliper measured three feet above ground level.

G. Proposed underlying zoning district plan:

- (a) Shall identify the location of the chosen underlying Town of Avon zoning districts.

H. Yield Plan

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- (a) Shall demonstrate potential development of subject site in accordance with provisions of existing Avon Zoning Ordinance districts identified in (g) above.
- (b) Shall include a table listing the respective numbers of lots, units, square footages of non-residential developments, parking spaces, and acreages of any open spaces.

I. PUD Concept Plan:

- (a) Shall show the basic concept, scope, character, and nature of entire proposed planned unit development.
- (b) Shall depict proposed development areas within the PUD zoning district and label them in such a manner as to coincide with the designations of the permitted use table and the development standards chapters of the Draft PUD ordinance.
- (c) Shall be submitted in color.

J. PUD Open Space Plan:

- (a) Shall depict any portion of the subject site to be preserved, improved, or maintained as open space;
- (b) Shall distinguish between those portions of the subject site intended to be dedicated to a public entity and those portions of the subject site intended to be held and maintained by a private entity;
- (c) Shall include approximate acreages and dimensions for all proposed open space areas, whether dedicated to public entities or privately held;
- (d) Shall indicate the means of allowing access to any proposed open space from public rights-of-way or access easements;
- (e) Shall indicate any path, trail, sidewalk, or road network offering connection between any proposed open spaces.

K. PUD Alternative Transportation Network Plan:

- (a) Shall depict the location of any proposed sidewalk, path, trail, or multi-use path within the proposed development;
- (b) Shall indicate the location of any easement necessary for implementation of any proposed sidewalks, paths, trails, or multi-use paths;
- (c) Shall indicate the location of any proposed alternative transportation improvement other than a sidewalk, path, trail or multi-use path, such as rest areas, water fountains, road crossings, and bicycle parking areas; and
- (d) Shall indicate the approximate location of any proposed multi-modal transit connections (*i.e.* train stations, bus stops).

L. Proposed infrastructure plan;

- (a) Shall indicate the location and name of all existing and proposed public and private roads, access easements and rights-of-way within the subject site;
- (b) Shall indicate the location and name of all existing and proposed public and private roads, access easements and rights-of-way within the two hundred (200) feet of the subject site;
- (c) Shall indicate all service facilities, driveways, private streets, paths and off-street parking facilities within the subject site;
- (d) Shall indicate any potential utility or access easements -- location, width and purpose.
- (e) Shall identify the location, size and type of any public or private utility within the subject site;
- (f) Shall indicate the direction and distance to, and size of nearest water mains and sewers adjacent to the tract.

M. Sample Floor Plans and Elevations;

- (a) Shall include typical floor plans and elevation plans, including foundation styles and

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building materials, for all potential buildings.

N. Sample Lighting Plan;

- (a) Shall depicting the proposed location, style, size, and level of illumination of all outdoor lighting fixtures for the planned unit development for any proposed right-of-way, entry feature, or required open space.

O. Sample Landscaping plan.

- (a) Shall identify the location of any proposed

- (1) buffer yard,
- (2) transitional landscaping areas,
- (3) entryway planting,
- (4) road treatment or street tree area; and
- (5) common area or required open space; and

- (b) Shall provide a typical landscaping plan depicting landscaping consistent with any landscaping standards proposed within the PUD zoning district.

5. Miscellaneous

A. The Zoning Administrator may require additional documents.

- (a) The Zoning Administrator shall inform the petitioner of such requirements during the Zoning Administrator review stage.

B. The Zoning Administrator may waive any of the aforementioned requirements if upon examination such information or data is not relevant to the review of the Planned Unit Development District.