

Article 4. Zoning Applications and Approvals

PART A. Applications and Hearings

Section 1. Applications

Applications submitted pursuant to this Ordinance shall be handled in accordance with the procedures set forth below:

A. Place of Filing

Applications shall be filed with the Department of Planning and-Development.

B. Form, Number, and Scale

Applications shall be on forms supplied by the Department of Planning and Development, and/or the Department of Engineering and shall be filed ~~in such~~ digitally in a Portable Document Format (PDF), version 7 or later submitted via email, file share site, flash drive or other similar media. All plans filed as part of any application shall be at a scale sufficient to permit a clear and precise understanding of the contents of said plans and of the proposal being made. Corrupted files, images that are unclear, or text that is not legible may be rejected.

C. Minimum Requirements

Every application submitted pursuant to this Ordinance shall contain such minimum data and information as listed on the application, in Appendix B, or as may be required by the Director of Planning and Development, the City Engineer, or their designees.

D. Filing Deadlines

1. An application requiring a public hearing or meeting will not be scheduled for such hearing or meeting unless filed, in proper form and number and containing all required information, as per the applicable year's Adopted Meeting Dates and Filing Deadline Schedule which is adopted annually by the body to which the application is made (i.e. Plan Commission and/or Board of Zoning Appeals) and is available at the Planning Department or on the City's website.

All applications shall follow the meetings dates as per the filing deadline date. If for some unforeseen reason, the meeting dates following the filing deadline date cannot be adhered to, those application shall then adhere to the following month's filing deadline and meeting dates schedule.

2. An application that does not require a public hearing shall be filed, in proper form and number and containing all required information.

Section 3. Content of Notice for Public Hearings and Meetings

Any matter required to be noticed shall be noticed in accordance with the rules of the applicable board, and except as determined by the Board, all notices shall include the date, time and place of such hearing or meeting, description of the matter to be heard or considered, and the address or particular location of the subject property.

PART B. Site Plan Review

Section 4. Procedure for Review and Recommendation

A. Technical Advisory Committee Review

2. Within seven (7) days after receipt by the Department of a properly completed application, the Director of Planning and Development or his/her designee shall transmit such application and drawings to the City of Noblesville Technical Advisory Committee members for hearing and review. The applicant shall be responsible for providing all documents to agencies outside of the City of Noblesville at the time of filing and providing copies of transmittal sheets documenting such transmission.
5. A Pre-Construction meeting shall be held within six months from the date of the Technical Advisory Committee meeting. Within 60 days of the Pre-Construction meeting, erosion control installation, earthmoving, and installation of infrastructure shall begin. Should the issuance of the ILP and construction activity not begin within the above noted time frames, the TAC approvals shall lapse and become null and void thus requiring the re-submittal of said plans including new filing fees, project plans, and application(s) and other supplemental documents as required.

PART C. Conditional Use Permits

Section 4. Procedure for Review and Decision

D. Action by Board of Zoning Appeals

The Board of Zoning Appeals shall take action in accordance with IC 36-7-4 *et seq.* with particular attention to the 900 series of said statute as the same may be amended.

E. Judicial Review

Decisions are subject to judicial review as provided by applicable law. (See, e.g. IC 36-7-4-1600 *et seq.* as the same may be amended)

Part D. Interpretations, Appeals, and Variances

Section 2. Appeals

D. Procedure

4. Action by Board of Zoning Appeals

The Board of Zoning Appeals shall hear and determine appeals from and review those items set forth in applicable law. (See, e.g., IC 36-7-4-918.1 as the same may be amended)

Section 3. Variances

D. Procedure for Review and Decision

2. Action by Director of Planning and Development

a. Upon receipt of a properly completed application for a ~~Conditional Use Permit~~ Variance, the Director of Planning and Development ~~shall forthwith~~ may transmit it to the Technical Advisory Committee for its review subject to Part B of this Article 4 if construction drawings of sufficient detail are provided.

b. The report and recommendations of the Technical Advisory Committee shall be submitted in writing from the Director to the Board of Zoning Appeals for its review if Technical Advisory Committee review is completed on a pending application.

4. The Board of Zoning Appeals shall take action in accordance with IC 36-7-4 *et seq.* with particular attention to the 900 series of said statute as the same may be amended.

Part E. Amendments

Section 5. Procedure for Review and Decision

C. Amendments shall be handled in accordance with applicable law (See, e.g., the 600 series of IC 36-7-4 as the same may be amended).

Part G. Pre-Filing Application Conference

Section 1. Scope and Purpose

A. A pre-filing meeting with Planning Department Staff is required prior to the applicant/developer/owner filing an application(s) for a public hearing before the Plan Commission or for site plan review by the Technical Advisory Committee with said conference being completed at a minimum of ten (10) business days prior to the filing of said application(s). These applications are subject to the filing dates contained on the adopted Schedule of Meeting Dates and Filing Deadlines adopted by the Plan Commission annually.

B. At the Pre-Filing Conference the following items shall be available for discussion purposes:

1. Property Information

- a. Aerial photograph of the property and general area
- b. Property owner information
- c. Status of property control
- d. Acreage of property

- e. Legal Description of property
- 2. Preliminary Site Plan including delineation of floodplains and wetlands
 - a. Layout of proposed development elements
 - b. Statement of proposed uses
 - c. Statement of consistency with Comprehensive Master Plan
- 3. Preliminary Utility Plan
- 4. Preliminary Building Elevations including materials
- 5. Preliminary Landscaping Plan
- 6. Due diligence analysis
 - a. ALTA/Title survey
 - b. Wetland delineation
 - c. Phase I ESA
 - d. Drainage basins (on-site and offsite)
 - e. Geotechnical analysis
 - f. Offsite easement identification

Part H. Planned Developments

Section 1.

Applicability

This article is applicable to all new planned developments and amendments to existing planned developments that are either amend the ordinance text or any adopted exhibits.

Section 2. Purpose

A district that employs written text, a plan or other drawing, or any combination of those items used in specifying the permitted uses and development requirements for the planned development district.

Section 3. Parties Entitled to seek Planned Development Approval

An application for a Planned Development may be filed with the Director of Planning and Development or his/her designee by the owner or lessee of the subject property or other person having the written consent of the owner of the subject property.

Applications shall be signed by the property owner or a consent form signed by the property owner and notarized stating that the property owner is aware of the specific action being requested in the application.

Section 4. Procedure for Review and Decision

- A. Applications for a Planned Development shall be filed in accordance with the requirements of Part A of this Article 4.

- B. All applications for a Planned Development shall include the information required in Appendix B. Applications, Section 9. Planned Developments.
- C. Docketing of Applications. Each filed application shall be reviewed for completeness. Any application which is determined to be in proper form as per the guidelines established by the Planning Department shall be docketed by the Department. Those applications not adhering to the guidelines shall be held in abeyance until all missing documentation is submitted and once docketed shall follow the meeting schedule adopted.
- D. Neighborhood meetings. The applicants shall host a "neighborhood meeting" prior to the public hearing at the Plan Commission meeting. Those to be notified include at a minimum the property owners identified from the list obtained through the Transfer and Mapping Division of the Hamilton County Auditor's Office. Notification shall be emailed to the Planning Department Staff involved with said application. The notification to the "interested parties" shall not be included with the public notice provided by the Planning Department.
- E. After docketing, the Director of Planning and Development or his/her designee shall coordinate a review of the Preliminary Development Plan materials to include review of by all relevant Departments, Technical Advisory Committee, and the Architectural Review Board (ARB). The Technical Advisory Committee shall provide general comments regarding the preliminary development plan. Text amendments, unless it affects the design of the overall planned development shall not be reviewed by the Technical Advisory Committee but reviewed by the Planning Staff and other that may be deemed necessary. Written findings and recommendations will be submitted to the Plan Commission.
- F. Prior to the public hearing, the Preliminary Development Plan Shall be introduced at a Council Meeting as per the adopted Planned Development and Change of Zoning Meeting Dates and Filing Deadlines Schedule. Written suggestions or recommendations as per the City Council shall be provided to the applicant by Staff within five days after said "introduction meeting."
- G. Planned Development consideration shall be handled in accordance with applicable law (See, e.g., the 1500 series of IC 36-7-4 as the same may be amended).
- H. Effect of Preliminary Development Plan Approval. Approval of the Preliminary Development Plan for a Planned Development shall not constitute approval of the Planned Development Detailed Plan. Rather, it shall be deemed an expression of approval of the concepts and details of the Preliminary Development Plan of the Planned Development and the proposed map amendment, which are set forth in the Application for Approval of the Planned Development. It shall also be deemed as a specific guide to the preparation of final documents which are required as part of the Application for Approval of the Detailed Development Plan. Further, it indicates approval of the details set forth in the application, and a commitment by the applicant to such details.
- I. A Planned Development (PD) Ordinance shall become effective after its approval and its recording in the Hamilton County Recorder's Office. The official zoning map shall be

amended once a recorded copy of the PD ordinance is submitted to the Planning Department. The use and development of the real estate shall thereafter be governed by the PD ordinance and Exhibits subject to the review and approval of subsequent permits and approvals as required by the Unified Development Ordinance and any regulatory processes which may be required prior to the issuance of any Improvement Location Permit, Building Permit or other permits.

- J. Following Common Council Approval of the Preliminary Development Plan, an application for Detailed Development Plan may be submitted. This application and supporting documentation shall be reviewed by the Director of Planning and Development or his/her designee for compliance with the approved Preliminary Development Plan and if it is in substantial compliance with the adopted Preliminary Development Plan and subject to the submission of the application requirements located in Appendix B. Applications, Section 9. Planned Developments.
 - 1. Approval of a Detailed Development Plan, or first phase Detailed Development Plan shall be filed for review within six months after adoption of the Preliminary Development Plan by the Common Council. However, the Common Council may grant an extension of time for such period as it deems in the public interest.
 - 2. In the event that a Detailed Development Plan is not filed for review within the six month period or an approved extension of time, the action of the Common Council, adopting the relevant Preliminary Development Plan as a particular class of Planned District shall be declared null and void, and the land shall revert to the category or categories it held before being zoned as a "PD" District subject to the submission of approved Detailed Development Plan.
- K. The Director of Planning and Development shall coordinate a review of the Detailed Development Plan to include review by relevant City Departments and Technical Advisory Committee. If the Director of Planning and Development, upon review finds major changes on the Detailed Development Plans, he/she shall forward the plans to the Plan Commission.
- L. A Detailed Development Plan shall be approved by all agencies and departments provided said detailed plan meets the requirements and intent of the adopted PD ordinance. All development plans shall conform to the adopted PD ordinance and exhibits.
- M. Appeal Procedure. The Plan Commission may, upon the applicant's request, hear an appeal of the decision of the Director of Planning and Development, in regard to the detailed development plan review action. This appeal procedure is provided as a safeguard against arbitrary, ill-considered, or erroneous administrative decisions. An application for appeal to the Plan Commission must be filed (if at all) no later than thirty (30) days after the action being appealed. The Plan Commission shall hold a public hearing on the application in accordance with Article 4. Zoning Applications and Hearings, Part A. Applications and Hearings. The Plan Commission may reverse, affirm, wholly or partially modify the decision of the Director of Planning and Development.

- N. No permit of any kind shall be issued for any purpose within the PD district except in accordance with the approved Detailed Development Plan and subject to all processes being completed pursuant to the Unified Development Ordinance. The owner and/or developer shall also guarantee the completion of all required improvements and facilities, as set forth in applicable city regulations, except where varied by application of these procedures, whether said improvement or facilities shall become public or remain private, by either completing the improvements in advance of approval of the Detailed Site Plan or submitting irrevocable letters of credit in a form and from a financial institution acceptable to the City's legal department (or an escrow department) in an amount equal to at least 110 percent of the construction cost estimate approved at the time said improvements and facilities are scheduled to be installed.

ARTICLE 5. SUBDIVISION PROCEDURE

PART B. SUBDIVISION APPLICATION AND APPROVAL PROCESS

Section 2. Primary Plat

A. Primary Plat Application

Applications for Primary Plat approval shall be processed in accordance with the procedures set forth below:

1. Action by the Department of Planning and Development

a. Transmit Primary Plat Application to Technical Advisory Committee for Site Plan Review

The Director of and Development or his/her designee shall transmit the application to the Technical Advisory Committee for hearing and review. The Technical Advisory Committee hearing, and review shall be conducted pursuant to Article 4, Part B, Section 2, "Site Plan Review". The report and recommendations of the Technical Advisory Committee shall be submitted in writing from the Director of and Development to the Plan Commission for its review.

2. Action by Plan Commission; Public Hearing

Upon receipt of the Primary Plat application, the report of the Technical Advisory Committee, and the report of the Director of Planning and Development, the Plan Commission shall hold a public hearing scheduled pursuant to Section 1 (B), above. The Plan Commission shall approve, approve with conditions, or deny the Primary Plat.

Section 3. Secondary Plat

A. Secondary Plat Application Procedure

Applications for Secondary Plat approval shall be filed with the Department of Planning and Development, on a form provided by the Director and shall contain at least the information listed in Section 3 of Part H of Appendix B of this Ordinance, "Secondary Plats".

B. Secondary Plat Review Procedure

An application for Secondary Plat approval shall be processed in accordance with the procedures set forth below:

1. Action by the Department of Planning and Development

Upon receipt of a completed Secondary Plat application and all information required by Section 3 of Part H of Appendix B, the Director of Planning and Development or his/her designee shall:

b. Transmit Secondary Plat Application to Technical Advisory Committee for Review

After receipt by the Department of and Development of a completed secondary plat application, the Director or his/her designee shall transmit the application to the Technical Advisory Committee for hearing and review. The Technical Advisory Committee hearing and review shall be conducted pursuant to Article 4, Part B, Section 2, "*Site Plan Review*".

c. Notify Subdivider

The report and recommendations of the Committee shall be submitted in writing from the Director of and Development or his/her designee to the subdivider. The Director shall maintain one (1) file copy of the secondary plat application.

Article 8. Zoning Districts

Part E. Corporate Campus Planned Development District (CCPD)

Section 1. Purpose and Procedures

A. Review Procedures

All development within the CCPD District shall be subject to site plan review, Unified Development Ordinance subdivision regulations, and site development standards, in addition to the use, bulk, and site development standards of this part.

The following types of development proposals are subject to the procedures and requirements for Planned Developments contained in Article 4. Zoning Applications and Approvals. Section H. Planned Developments and Article 8. Zoning Districts, Part H. Special Districts, Section 3. Planned Development (PD) Overlay District:

1. All proposed subdivisions.
2. All development proposals in the Mixed Residential Subdistrict (unless otherwise specified).
3. All development proposals that include requests for any exceptions from the standards listed for this district and/or subdistricts.
4. All proposed uses listed as Special Considerations in Appendix D. These uses are not assumed permitted by-right and thus, there shall be no presumption of their approval. Special Considerations, if any are to be given, must be specifically approved by the Plan Commission and Council.

5. All development proposals in the Agricultural/I-O Subdistrict.

Part H. Special Districts

Section 3. Planned Development (PD) Overlay District

G. Procedure

The authorization of a Planned Development shall require approval of the preliminary development plan and detailed development plan that conforms with the provisions laid out in this Section. Additional information regarding the procedures and information required to file a Planned Development Ordinance, a Preliminary Development Plan, and a Detailed Development Plan may be found in Article 4. Zoning Applications and Approvals, Part H. Planned Developments and in Appendix B. Applications, Section 9. Planned Developments.

1. Preliminary Development Plan

A Preliminary Development Plan is required for the purposes of establishing basic goals and policies, {bulk standards, architectural standards, variations/waivers from the underlying zoning district standards and layout of the proposed Planned Development.

2. Detailed Development Plan

The purpose of the Detailed Development Plan is to specifically designate the land subdivided into conventional lots or blocks for non-residential planned developments as well as the division of other lands into common open areas and building sites. The Detailed Development Plan shall show the exact location of each building to be constructed, and a designation of the specific internal use for each building. The Detailed Development Plan also informs all who deal with the Planned Development of the restrictions placed upon the land and acts as a zoning control device.

Appendix B. Applications

PART A. BASIC FILING REQUIREMENTS FOR ALL APPLICATIONS

All applications must meet the following basic criteria along with the requirements specific to the type of application being filed in Part B of this appendix.

- A. Prefiling meeting for any application identified in Article 4, Part G.
- B. A completed application on a form prescribed by the Department of Planning or digital submittal of an application using the Department's online permitting portal when the

application type is available on the portal with the required signatures per the application type.

- C. Payment of filing fees pursuant to the invoice that you will receive upon the acceptance/docketing of your application. The fee must be paid within ten (10) business days of receipt.
- D. All submittals must be made via file share site, flash drive or other similar media. All documents must be in Portable Document Format (PDF).
- E. Each drawing type (i.e. construction plans, landscaping plans, architectural plans, etc.) must be submitted in a single file by type. Individual sheets as separate files from drawing sets will not be accepted, but each required submittal must be a separate file – DO NOT FILE as one total document. Refer to the Unified Development Ordinance, Noblesville Standards, and Stormwater Technical Standards for additional guidance and requirements.
- F. All construction plans shall include the name and address, telephone number, email address, and registration number of the professional engineer, architect, landscape architect, and surveyor responsible for the design, public improvement, and surveys.
- G. All plans shall be clearly legible and readable.
- H. All sheets shall be numbered in sequence.
- I. All plans shall be appropriately scaled based upon the level of detail required on the drawings.
- J. All drawings shall include graphic scale, north arrow, date, revisions dates including reason for revision, and by whom the revision was made.

PART B. REQUIREMENTS BY APPLICATION TYPE

Section 1. Site Plan Review

Applications for site plan review shall contain the information listed under Article 4.B, for the Site Plan Review as required, and the following additional application materials:

- A. Completed application on forms supplied by the Department of Planning and Development for all required processes that may include Technical Advisory Committee review, Secondary Plat, or any other process deemed necessary by staff and identified at the Pre-Filing Conference.
- B. Legal description of the property.
- C. Drainage Reports. Shall include a statement signed by an Indiana Registered Professional Engineer stating that:
 - 1. The site plan shall conform to any applicable standards for site drainage;
 - 2. Except where a specific variation is stated, the design of all improvements is in accordance with applicable city regulations as well as standard and good engineering practice;
 - 3. The site plan will not overload existing storm or sanitary sewers.
- D. Post Water Quality (BMP) report
- E. Certifications, seals, and signatures required for the dedication of land and recording of the document.

F. Construction Schedule.

G. Contents of drawings

The applicant shall prepare and submit Civil Drawings prepared by a licensed engineer or architect subject to the following:

1. Scaled drawings at 1"= 20', 1"= 30', or 1"= 40'.
2. An accurate legal description and survey of the entire area being developed.
3. A development plan indicating all uses, parcels, lots lines, building location pads, recreational areas (residential), vehicular access ways, pedestrian ways (sidewalks/trails) (if trails denote if it is part of the Noblesville Alternative Transportation Plan), floodplains and wetlands (adopted community and panel numbers of FIRMS; delineation and type of wetlands) and watercourses by location and name including drainage swales. All items dimensioned.
4. The location, width, and type of use of any existing roads, rights-of-way, railroad rights-of-ways, burial grounds, watercourses, easements or other special purpose areas within the property, or immediately adjacent thereto, and the location of towers, poles, or other structures in connection with electric transmission lines. Clearly identify all easements and existing and proposed rights-of-way. Identify any woodland areas. Identify any trees existing on the property greater than 7-inches in diameter by species, caliper, and condition, and any native vegetation. All items dimensioned.
5. A landscaping plan drawn by a landscape architect or a landscape contractor including company name, address, telephone number and email address. Scale 1" = 20' or 1" = 30'. The plan should include the location of trees, shrubs, and ground cover. Identification of the plant species (botanical and common names), sizes at the time of planting by caliper, height, and/or container size. Identify all trees to be used as Street Trees on a separate plan including species, caliper, and location and include on the overall plan. (Street Trees shall be approved by the Urban Forester).
6. The location of any existing underground utilities, such as sewers, water mains, storm drains, gas or oil transmission lines, etc., within the property or immediately adjacent thereto, with approximate pipe size and directions of slope.
7. Parcel identification numbers as per Hamilton County Tax Mapping to be include on plan.
8. Non-residential developments shall include 360° Color Elevations for all buildings denoting materials used, location of materials on

- building, percentage of different types of materials on building, height, and colors. Include floorplans, and include a materials board.
9. Lighting Plan including type of fixtures proposed (perspective or elevation drawings). The lighting plan shall denote the locations providing a photometric plan of the foot-candles to the property lines.
 10. Development Summary Table including gross and net acreage for the entire project, open space area, building coverage, floodplain and wetland areas, rights-of-way, and detention/retention areas. Indicate locations of the above on the plans.
 11. Grading plan. Topographic contours shown at five (5) foot intervals in rolling or hilly terrain and two (2) foot intervals in level terrain, as referenced to sea level datum and an established benchmark.
 12. Location map indicating the Section, Township, and Range.
 13. A vicinity map showing the location of the parcel to be developed, identified by streets, block, and adjacent subdivisions (with block and lot numbers) as applicable, or in the case of un-subdivided properties, location by township, range, and section (metes and bounds). Include the names of the adjoining developments, uses, and the names of adjoining streets.
- H. In addition, all development activities located wholly within, partially within, or in contact with an identified special flood hazard area shall be required to submit additional information. Such application shall be made prior to the actual commencement of such construction. Such applications shall include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities; and the location of the foregoing. Specifically, the following information is required, where applicable:
1. A site development plan showing existing and proposed development locations and existing and proposed land grades.
 2. Verification that connection to either a public sewer system or to an approved on-site septic system is available and approved by the respective regulatory agency for proposed structures with plumbing including, but not limited to, a restroom, kitchen or other facilities requiring disposal of wastewater.
 3. Plans showing elevation of the top of the planned lowest floor (including basement) of all proposed structures in Zones A, AE. Elevation should be in NAVD 88.
 4. Plans showing elevation (in NAVD 88) to which any non-residential structure will be floodproofed.

5. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in this ordinance;
6. Plans showing location and specifications for flood openings for any proposed structure with enclosed areas below the flood protection grade.
7. Plans showing materials to be used below the flood protection grade for any proposed structure are flood resistant.
8. Plans showing how any proposed structure will be anchored to resist flotation or collapse;
9. Plans showing how any electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities are designed and/or located to be above flood protection grade. Elevation should be in NAVD 88.
10. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development. A hydrologic and hydraulic engineering study is required, and any watercourse changes submitted to IDNR for approval. Once IDNR approval is obtained, a FEMA Conditional Letter of Map Revision must be obtained prior to construction.
11. Any additional information, as requested by the Floodplain Administrator, which may be necessary to determine the nature of a proposed development or structure with respect to the requirements of this ordinance.
12. Indiana Department of Natural Resources approval for any construction in a floodway.

Section 2. Conditional Uses

An application for a Conditional Use permit shall be filed with the Director of Planning and Development with the consent of the owner of property for which such Conditional Use is proposed. At a minimum, the application materials shall contain the following information/documents:

- A. Description of existing use.
- B. Zoning district.
- C. Description of proposed Conditional Use.
- D. A narrative statement evaluating the effects of such elements as noise, glare, odor, fumes, and vibration upon adjoining property; a discussion of the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to the Comprehensive Plan.
- E. A legal description of the real estate involved;
- F. Location and size of all existing and proposed buildings and structures;
- G. Location and dimensions of building lines, right-of-way lines, setbacks, regulated drains and public and private easements (existing and proposed);

- H.** Elevation contours and spot elevations sufficient to determine drainage both existing and proposed;
- I.** Drainage calculations sufficient for sizing drainage structures based on a 10-year storm along with retention/detention for a 100-year storm with developed site condition and a release rate of a 10-year storm under undeveloped site conditions;
- J.** Details of drainage structures including cover details for all structures under paved areas;
- K.** Layout of drives and other traffic and drainage features on opposite side of street or adjacent properties;
- L.** Location of septic facilities, sanitary sewer lines and all utilities existing and proposed and connection plans for sanitary sewer facilities including details if necessary;
- M.** Location of parking and loading areas, traffic access and circulation, open space, landscaping, refuse and service areas, signs, turning radii, and proposed vehicle and projected turning paths from turning radius templates;
- N.** Vicinity map showing all property boundaries and zone districts within a 1/4-mile radius of the property; and
- O.** Any other information the Board of Zoning Appeals or the Director of Planning and Development may require to determine if the proposed conditional use meets the intent and requirements of the zoning ordinance and is appropriate for the location for which it is proposed.

Section 3. Variances

An application for a variance from the terms of this ordinance shall be filed with the Director of Planning and Development with the consent of the owner of property for which the Variance is proposed. At a minimum, the application material shall contain the following information/documents:

- A.** Legal description of property;
- B.** Description of nature of variance requested;
- C.** Site plan depicting all information necessary for the Board's decision;
- D.** Technical information as determined by the Director of Planning and Development and the Technical Advisory Committee.
- E.** A narrative statement demonstrating that the requested variance conforms to the standards of Article 4, Part D, Section 3 (E).

Section 4. Amendments

Applications for Change of Zoning or Planned Development amendments to the zoning ordinance/map shall contain at least the following information:

- A.** Present use;

- B.** Present zoning district;
- C.** Proposed zoning district;
- D.** A vicinity map at a scale approved by the Director of Planning and Development showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Director of Planning and Development may require;
- E.** A statement on how the proposed amendment relates to the Comprehensive Plan;
- F.** Draft ordinance; and
- G.** Any other information or drawings which may be necessary to determine conformance with and provide for the enforcement of this ordinance, as determined by the Director of Planning and Development or representative.

Section 9. Planned Developments

B. Preliminary Development Plan

1. Application Materials

- a.** Completed application for all required processes that may include Preliminary Development Plan, Rezoning, Technical Advisory Committee review, Architectural Review Board, or any other process deemed necessary by staff and identified at the Pre-Filing Conference.
- b.** A PD Ordinance shall be submitted for consideration by the Plan Commission and Common Council which outlines all standards and uses requested, bulk standards, and variations. The ordinance shall include as appendices and commitments all drawings and renderings used in presentation of the application. The ordinance shall include a sunset clause for obtaining individual building permit and the initial construction should the Planned Development (PD) not be developed after it is adopted and recorded.
- c.** A Preliminary Development Plan – see below for specific information to be included.
- d.** Each application shall be accompanied by a written description of the project. The length of the description will vary with the size of the project. The following information should be included:
 - 1.** The design concept
 - 2.** The rationale for the design
 - 3.** The project proposal in written language
 - 4.** The relation of the existing conditions on site
 - 5.** the existing and proposed uses

6. Proposed maximum site development intensity and demonstration that it is in keeping with the comprehensive plan and will not exceed 100 of the base zone.
 7. A list of any requested exceptions including justification from the requirements of the base zone.
 8. Explanation of the character of the Planned Development and the reasons why it has been planned to take advantage of the flexibility of these regulations. This item shall include a specific explanation of how the proposed Planned Development meets the objectives of all adopted land use policies that affect the land in question.
 9. Statement of present and proposed ownership of all land within the project including the beneficial owners of a land trust.
 10. Statement of the stages proposed for the development indicating the sequencing and phasing.
- e. Feasibility statements concerning the infrastructure such as sanitary sewer, storm sewer, water, electricity, and other similar utilities.
 - f. A traffic study shall be required for developments expected to generate 1000+ new trips per day. This is approximately equivalent to 100 new single-family homes, 135 apartments/duplexes/quads, or 40,000 square feet of retail space. Study intersections shall include all upstream and downstream thoroughfare intersections and new access points. Study shall consider level of service for existing traffic, traffic at horizon year, and traffic at development at the horizon year. Study shall make recommendations to mitigate any concerns or issues.
 - g. Proposed covenants.
 - h. Legal description of the property.
 - i. Any additional materials, information, documentation, or data deemed necessary to support a thorough review of the proposed development requested by the Planning or Engineering Department in writing.
2. Contents/Requirements of Preliminary Development Plan
 - a. The words "Preliminary Development Plan" and the name of the proposed development shall appear on the Title Page.
 - b. Scaled drawings prepared by a land surveyor, engineer, and/or architect. Scale of drawings 1"=20', 1"=30', or 1"=40'. All sheets shall be numbered in sequence. All construction drawings shall include the name and address, telephone number, email address, and registration number of the professional engineer, architect, landscape architect, and surveyor responsible for the design, public improvements, and for surveys.
 - c. A site (development) plan indicating the location and configuration of the proposed development including parcels, lot lines, uses, building locations, and recreational areas (residential), vehicular access ways, pedestrian

ways (sidewalks/trails) (denote if trails are a part of the Noblesville Alternative Transportation Plan), floodplains and wetlands (adopted community and panel numbers of FIRMS, delineation, and type of wetlands), and watercourses by location and name, including drainage swales. Plans shall show right-of-way improvements including drainage improvements, clearing, pavement widening and resurfacing of roadway frontage, and relocation of existing overhead utilities to the back of the right-of-way, All items shall be dimensioned, and drawings shall be scaled.

- d. The location, width, and type of use of any existing roads, rights-of-way, railroad rights-of-ways, burial grounds, watercourses, easements or other special purpose areas within the property, or immediately adjacent thereto, and the location of towers, poles, or other structures in connection with electric transmission lines. Clearly identify all easements and existing and proposed rights-of-way. Identify any woodland areas. Identify any trees existing on the property greater than 7-inches in diameter by species, caliper, and condition, as well as any native vegetation. All items shall be dimensioned.
- e. A landscaping plan drawn by a landscape architect or a landscape contractor including company name, address, telephone number, and email address. Scale shall be 1" = 20' or 1" = 30'. The plan should include the location of trees, shrubs, and ground cover and identification of the plant species (botanical and common names), sizes at the time of planting by caliper, height, and/or container size.
- f. Identify all trees to be used as Street Trees on a separate plan including species, caliper, and location and include on the overall plan. (Street Trees shall be approved by the Urban Forester). This plan shall be provided on a separate sheet from the other landscaping elements.
- g. The approximate location of any existing underground utilities, such as sewers, water mains, storm drains, gas or oil transmission lines, etc., within the property or immediately adjacent thereto, with approximate pipe size and directions of slope.
- h. General indications of how the development is to be provided with water service, sanitary sewers, and storm drainage, gas, electricity, etc. Indicate location, size, invert elevations, and slopes of existing sewers, water mains, culverts, and other underground structures within the tract and existing permanent buildings and utility poles on the tract. Critical grades of proposed system shall be shown for gravity service for storm sewer and sanitary sewer.
- i. Parcel identification numbers as per the Hamilton County Tax Mapping to be include on the plan. Parcel numbers shall be Hamilton County parcel numbers, not state parcel numbers.

- j. Non-residential development shall include 360-degree color elevations for all buildings denoting materials used, location of materials on building, percentage of different types of materials on the building, height, and colors. Floor plans shall also be provided.
- k. Lighting Plan including type of fixtures proposed (perspective or elevation drawings). The lighting plan shall denote the general locations. Include cut-sheets for fixture types. Single Sheet and digital submission. Who will be providing lighting and paying costs for installation and operation/maintenance.
- l. Development Summary Table including gross and net acreage for the entire project, open space area, building coverage, floodplain and wetland areas, right of ways, and detention/retention areas. These shall be indicated on the plans.
- m. Grading plan including topographic contours shown at five (5) foot intervals in rolling or hilly terrain and two (2) foot intervals in level terrain, as referenced to sea level datum and an established benchmark.
- n. Soils map and data. Two (2) copies of a preliminary geological soils report prepared by a qualified soils geologist registered in the State of Indiana addressing slope stability, ground water seepage, erosion hazards, expansive soils, fault related hazards, and conclusions and recommendations on the proposed soils regarding the development.
- o. Preliminary drainage report showing onsite and offsite drainage sheds, narrative of design process, calculations with input and outputs including hydrographs confirming the ponds on the plans are conceptually sized correctly. Reports intent is proof of concept that the site's drainage plan considers the requirements of the Stormwater Technical Standards requirements.
- p. Traffic impact study for projects which will create one thousand (1,000+) or more new trips. Study intersections shall include all upstream and downstream thoroughfare intersections and new access points. Study shall consider level of service for existing traffic, traffic at horizon year, and traffic at development at the horizon year. Study shall make recommendation to mitigate any concerns or issues.
- q. Location map indicating the Section, Township, and Range.
- r. Proposed zoning classification of real property being developed and surrounding zoning classifications.
- s. A Vicinity Map showing the location of the parcel to be developed, identified by street, block, and adjacent subdivisions (with block and lot numbers) as applicable, or in the case of un-subdivided properties, location by township, range, and section (metes and bounds). Include the names of the adjoining property owners of record, the names of the

adjoining developments, uses, and the names of adjoining streets. Include school district lines and identify.

3. Additional Required Information for Residential Planned Developments
 - a. 360-degree architectural elevations of all proposed buildings including accessory buildings, clubhouses/pool structures, and residential houses. Include heights, color names, and location of materials on buildings and swatch colors.
 - b. Floor plans
 - c. A completed Architectural Review Board Application
 - d. Seven (7) paper sets and a digital submission of the elevations including any deviations from the adopted standards for Architectural Review. Include the proposed and/or adopted standards. The elevations and supporting documentation may be submitted in a booklet form provided the drawings are to a scale and scalable.

C. Detailed Development Plan

1. Application Materials
 - a. Completed application on forms supplied by the Department of Planning and Development for all required processes that may include Technical Advisory Committee review, Secondary Plat, or any other process deemed necessary by staff and identified at the Pre-Filing Conference.
 - ~~b.~~ Legal description of the property.
 - c. Drainage Reports. Shall include a statement signed by an Indiana Registered Professional Engineer stating that:
 1. The Detailed Site Plan shall conform to any applicable standards for site drainage;
 2. Except where a specific variation is stated, the design of all improvements is in accordance with applicable city regulations as well as standard and good engineering practice;
 3. The Detailed Site Plan will not overload existing storm or sanitary sewers.
 - d. Final draft of covenants.
 - e. Post Water Quality (BMP) report
 - f. Certifications, seals, and signatures required for the dedication of land and recording of the document.
 - g. Construction Schedule
 - h. Common Open Space documents: All common open space, at the election of the City may be:
 1. Conveyed to a municipal or public corporation; or
 2. Conveyed to a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the Planned Development or adjoining property owners or any one or more of

them. All lands conveyed thereunder shall be subject to the right of the grantee or grantees to enforce maintenance and improvement of the common open space; or

3. Guaranteed by a restrictive covenant describing the open space and its maintenance and improvements, running with the land for the benefit of residents of the Planned Development or adjoining property owners and/or both.

2. Contents of Detailed Development Plan drawings

The applicant shall prepare and submit a final Detailed Development Plan prepared by a licensed engineer or architect including Civil Drawings subject to the following:

- a. Scaled drawings prepared by a land surveyor, engineer, and/or architect. Scale of drawings 1" = 20', 1" = 30' or 1" = 40'. All sheets shall be numbered in sequence. All drawings shall include the name and address, telephone number, email address and registration number of the professional engineer, architect, landscape architect and surveyor responsible for the design, public improvements, and for surveys. IF the area is part of the Corporate Campus Planned Development District or a phase of an overall detailed development plan, include all information pertinent to the development of the individual parcel.
- b. An accurate legal description and survey of the entire area being developed as the Planned Development.
- c. A development plan indicating all uses, parcels, lot lines, building location pads, recreational areas (residential), vehicular access ways, pedestrian ways (sidewalks/trails) (if trails denote if it is part of the Noblesville Alternative Transportation Plan), floodplains and wetlands (adopted community and panel numbers of FIRMS; delineation and type of wetlands) and watercourses by location and name including drainage swales. All items dimensioned.
- d. The location, width, and type of use of any existing roads, rights-of-way, railroad rights-of-ways, burial grounds, watercourses, easements or other special purpose areas within the property, or immediately adjacent thereto, and the location of towers, poles, or other structures in connection with electric transmission lines. Clearly identify all easements and existing and proposed rights-of-way. Identify any woodland areas. Identify any trees existing on the property greater than 7-inches in diameter by species, caliper, and condition, and any native vegetation. All items dimensioned.
- e. A landscaping plan drawn by a landscape architect or a landscape contractor including company name, address, telephone number and email address. Scale 1" = 20' or 1" = 30'. The plan should include the

location of trees, shrubs, and ground cover. Identification of the plant species (botanical and common names), sizes at the time of planting by caliper, height, and/or container size. Identify all trees to be used as Street Trees on a separate plan including species, caliper, and location and include on the overall plan. (Street Trees shall be approved by the Urban Forester).

- f. The location of any existing underground utilities, such as sewers, water mains, storm drains, gas or oil transmission lines, etc., within the property or immediately adjacent thereto, with approximate pipe size and directions of slope.
- g. Parcel identification numbers as per Hamilton County Tax Mapping to be include on plan.
- h. Non-residential Planned Developments shall include 360° Color Elevations for all buildings denoting materials used, location of materials on building, percentage of different types of materials on building, height, and colors.
 1. Include floor plans
 2. Include a materials board. (Provide one board)
- i. Lighting Plan including type of fixtures proposed (perspective or elevation drawings). The lighting plan shall denote the locations providing a photometric plan of the foot-candles to the property lines.
- j. Development Summary Table including gross and net acreage for the entire project, open space area, building coverage, floodplain and wetland areas, right of ways, and detention/retention areas. Indicate locations of the above on the plans.
- k. Grading plan. Topographic contours shown at five (5) foot intervals in rolling or hilly terrain and two (2) foot intervals in level terrain, as referenced to sea level datum and an established benchmark.
- l. Location map indicating the Section, Township, and Range.
- m. A Vicinity Map showing the location of the parcel to be developed, identified by streets, block, and adjacent subdivisions (with block and lot numbers) as applicable, or in the case of un-subdivided properties, location by township, range, and section (metes and bounds). Include the names of the adjoining developments, uses, and the names of adjoining streets.