

ARTICLE 1. BASIC PROVISIONS

1.1 TITLE. This ordinance shall hereinafter be known and cited as “Town of Plainfield Subdivision Control Ordinance”.

1.2 AUTHORITY.

1. This ordinance is adopted pursuant to the authority contained in I.C. 36-7-4 et seq.
2. Whenever any provision of this ordinance refers to or cites a section of the Indiana Code and that section is later amended or superseded, this ordinance shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

1.3 PURPOSE. In adopting this ordinance, the Town Council is acting for the purpose of:

1. Promoting the public health, safety, comfort, morals, convenience and general welfare;
2. Guiding the future development of the town in accordance with the Comprehensive Plan and related policies and objectives;
3. Securing adequate light, air, convenience of access, and safety from fire, flood and other danger;
4. Lessening or avoiding congestion in public ways;
5. Providing adequate and efficient public and private facilities and the conservation of natural resources;
6. Providing for the safety, comfort and soundness of the built environment; and
7. Otherwise accomplishing the purposes of I.C. 36-7-4 et seq.

1.4 EFFECTIVE DATE. This ordinance shall be effective at 12:01 a.m., on February 1, 1998.

1.5 REPEALER. The Plainfield Subdivision Regulations for the town, as adopted by the Town Council of the town, on April 10, 1989, as Ord. 9-89, and all amendments thereto, are repealed as of the effective date of this ordinance.

1.6 SEVERABILITY. It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of this ordinance because the same would have been enacted without the incorporation into this ordinance of such unconstitutional or invalid section, paragraph, sentence, clause or phrase.

1.7 EXCLUSION. Nothing in this ordinance or in any rules, regulations or orders issued pursuant to this ordinance shall be deemed to restrict or regulate or to authorize any unit of government, legislative body, Plan Commission or Board of Zoning Appeals now or hereafter established, to restrict or regulate the exercise of the power of eminent domain by the state or by any agency of the state, or the use of property owned or occupied by the state or any agency of the state.

1.8 INTERPRETATION. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the health, safety, comfort, morals, convenience and the general welfare of the public. In the case of any conflict or inconsistency between

two or more provisions of this ordinance or any other ordinance of the town, the provision which imposes the greater or higher or more restrictive standard of performance shall control.

1.9 JURISDICTION. The Town Plan Commission shall have exclusive control over the approval of plats, replats and the vacation of plats or parts of plats involving all real property located within the corporate boundaries of the town upon:

1. Adoption of this ordinance by the Town Council; and
2. The effective date of this ordinance.

1.10 FINDINGS. In adopting this ordinance, the Town Council have paid reasonable regard to:

1. The general polices and patterns of development set out in the Comprehensive Plan for the town;
2. Current conditions and the character of current structures and uses in each zoning district;
3. The conservation of property values throughout the town; and
4. The responsible development and growth of the town.

1.11 PRIVATE PROVISIONS. The provisions of this ordinance are not intended to abrogate any easement, covenant or other private agreement or restriction.

1.12 SAVING PROVISION. Except as shall be expressly provided for in this ordinance, the adoption of this ordinance shall not:

1. Abate any action pending under, or by virtue of, any prior Subdivision Control Ordinance;
2. Discontinue, abate, modify or alter any penalty accruing or about to accrue under, or by virtue of, any prior Subdivision Control Ordinance;
3. Affect the liability of any person, firm or corporation under, or by virtue of, any prior Subdivision Control Ordinance;
4. Waive any right of the town under any section or provision of any prior Subdivision Control Ordinance; or
5. Vacate or annul any rights obtained by any person, firm or corporation by lawful action of the town under, or by virtue of, any prior Subdivision Control Ordinance.

1.13 TRANSITION RULES FOR APPLICATIONS FOR PRIMARY PLAT APPROVAL, SECONDARY PLAT APPROVAL OR THE VACATION OF PLATS OR PARTS OF PLATS. Any application for primary plat approval, secondary plat approval or the vacation of plats or parts of plats which has been filed with the Director of the Department of Planning and Zoning and which application is full and complete under the provisions of the Plainfield Subdivision Regulations (Ord. 9-89, as amended) prior to the effective date of this ordinance shall continue to be processed to completion pursuant to the terms and conditions of the Plainfield Subdivision Regulations (Ord. 9-89, as amended).

1.14 AMENDMENTS. In its continuing administration of the purposes set forth in Article 1.3 above, the Town Council may find it reasonable and necessary to propose and adopt amendments to the text of this ordinance. All such amendments shall be considered and adopted in compliance with I.C. 36-7-4-600 et seq., the provisions of this ordinance and any applicable rules of procedure subsequently adopted by the Plan Commission or the Town Council governing such procedures.

1.15 COMPLIANCE. Compliance with the terms and provision of this ordinance shall be a prerequisite for the use and development of real property within the town. Failure to comply with the terms and provisions

of this ordinance shall be deemed to be a civil zoning violation enforceable by the Plan Commission as provided for in I.C. 36-7-4 et seq. and Article XII of the Plainfield Zoning Ordinance.

1.16 DEFINITIONS. The interpretation of terms or words and the definition of terms or words contained in this ordinance shall be in accordance with Article XIII: Definitions of the Plainfield Zoning Ordinance, as the same may be amended from time to time, which Article is hereby incorporated into and made a part of this ordinance by this reference.

1.17 IMPROVEMENT LOCATION PERMITS. No improvement location permit shall be issued for any building, structure or improvement unless the location of the building, structure or improvement conforms with the applicable provisions of the Plainfield Zoning Ordinance and this ordinance.

1.18 RECORDING REQUIRED FOR ISSUANCE OF AN IMPROVEMENT LOCATION PERMIT.

- A. No improvement location permit for any building, structure or improvement shall be issued for any lot within a subdivision prior to a copy of the properly signed and recorded secondary plat of that subdivision being filed with the Department of Planning and Zoning.
- B. Exception: a conditional improvement location permit and certificate of zoning compliance for the construction and use of a permitted temporary use (including a model home, sales office, construction office or similar related use) within the real estate affected by a subdivision may be issued by the Director after all construction plans for required improvements have been approved by the town and a site and infrastructure permit has been issued by the Town. If the temporary use is a model home, the model home shall not be converted to a residential use prior to the installation, inspection and approval of all required improvements that directly or indirectly affect the model home.

1.19 INCORPORATION BY REFERENCE. Throughout the various articles of this ordinance, reference is made to other regulations of the town, and each such regulations is hereby incorporated by this reference into this ordinance. Two copies of each such regulation of the town are on file in the office of the Clerk-Treasurer and are available for public inspection.

1.20 APPEALS. Any person aggrieved by a decision of the Plan Commission relating to the Subdivision Control Ordinance may appeal said decision as provided by state law. The appeal shall be filed within 30 days of the date of the decision upon which the grievance is based.

ARTICLE 2.1. GENERAL PROCEDURES

A. CONCEPTUAL PLAT REVIEW.

1. A pre-filing conference with staff to perform a conceptual plat review is required prior to filing for primary plat approval for all nonresidential incremental subdivisions. A pre-filing conference, however, is not required prior to filing for primary plat approval for all other subdivisions.
2. At a pre-filing conference to perform a conceptual plat review, the subdivider shall provide four copies of a preliminary sketch plan capable of depicting the conceptual layout of the major features of the proposed subdivision (streets, drainage features, water lines, sewer lines and other utility services). Staff may take up to ten business days to review the proposed sketch plan and provide comments back to the subdivider. The subdivider is encouraged to incorporate the comments received from staff into the design of the subdivision prior to filing for primary plat approval.
3. Notwithstanding anything contained in this ordinance to the contrary, neither the staff's conceptual plat review of the proposed sketch plan submitted at a pre-filing conference nor staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed primary plat.

B. FILING FOR PRIMARY PLAT APPROVAL.

1. Subdivision plats shall be initiated by the filing of a notarized petition, in a form as prescribed by the Department of Planning and Zoning, signed by the owners or an authorized agent of the owners of the land involved in the petition. An authorized agent shall file a written statement with the Department, signed by the owner on a form acceptable to the Department, at the time of filing a petition which authorizes the agent to act on the owner’s behalf.
2. Petitions for primary plat approval shall be filed with the Department of Planning and Zoning no later than 12:00 noon on the day of the filing deadline set forth below:

<i>Type of Petition</i>	<i>Filing Deadline*</i>
Minor Residential subdivisions	37 days
Major Residential subdivisions	60 days
Nonresidential subdivisions	60 days
* Note: The filing deadline shall mean the number of days prior to the initial hearing before the Plan Commission at which the petition is to be considered	

3. Each petition for primary plat approval shall be accompanied by four folded copies of the primary plat. A copy of the proposed primary plat shall be submitted to each checkpoint agency prior to filing with the Department of Planning and Zoning.
4. All petitions shall be on forms provided by the Department of Planning and Zoning. In addition, site plans, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality as specified below.
5. When findings of fact are required by this ordinance, the petitioner shall prepare proposed detailed written findings of fact which shall be filed at the time of filing of the petition.
6. All petitions shall specify the approvals requested. Any items, including proposed waivers of the standards set forth in this ordinance, even if indicated on the proposed plans, shall not be considered a part of the request presented to the Plan Commission for its consideration unless such waivers are specified in the petition.
7. Each petition filed in proper form pursuant to the guidelines established by the Department of Planning and Zoning shall, within 30 days of filing, be numbered and docketed by the Director for an review by the Technical Advisory Committee and for initial hearing by the Plan Commission.
8. After review and comment is received from the members of the Technical Advisory Committee, the Director shall inform the subdivider of the review comments. The subdivider shall make revisions to the primary plat, as appropriate, and resubmit 12 folded copies of the primary plat to the Director not less than 14 days prior to the date of the Plan Commission hearing.
9. Standards for approval: primary plats shall only be approved by the Plan Commission upon determination that the primary plat is in full compliance with all terms and provisions of this ordinance, the Plainfield Zoning Ordinance and that:
 - a. Adequate provisions have been made for regulation of minimum lot width, minimum lot depth and minimum lot area;
 - b. Adequate provisions have been made for the widths, grades, curves and coordination of subdivision public ways with current and planned public ways; and
 - c. Adequate provisions have been made for the extension of water, sewer and other municipal services.
10. Conditions of approval: the Plan Commission may specify reasonable conditions on the approval of a primary plat related to the following:

- a. The manner in which public ways shall be laid out, graded and improved. The Plan Commission may determine the need for additional street rights-of-way and improvements based upon existing plans, reports or studies undertaken by the Plan Commission, or other county, state or federal agency's reports or studies. The Plan Commission may require additional studies to be done by the subdivider or other professional consulting firms to determine the need for additional street rights-of-way and improvements as a result of the proposed development and its impact on the surrounding areas;
- b. A provision for water, sewage and other utility services;
- c. A provision for lot size, number and location;
- d. A provision for drainage design; and
- e. A provision for other services specified in this ordinance.

C. FILING FOR SECONDARY PLAT APPROVAL.

1. The secondary plat submitted for approval must:
 - a. Conform to the primary plat in terms of design and conditions of approval imposed on the primary plat by the Plan Commission;
 - b. Be in a form approved for recording by the County Recorder; and
 - c. Include the all information specified below for secondary plats.
2. Authority is hereby delegated to the Director to administratively grant final approval of a secondary plat in accordance with the criteria set forth in this ordinance.

D. SPECIAL PROVISION FOR NONRESIDENTIAL INCREMENTAL SUBDIVISIONS.

1. The secondary plat approval process for nonresidential incremental subdivisions is intended to provide for the phased approval of nonresidential lots of a size and configuration required to serve the needs of development while safeguarding the needs and interests of the public for proper infrastructure design and installation.
2. Any nonresidential incremental subdivision electing to not utilize this incremental secondary plat approval process set forth herein shall be required to follow the full primary and secondary plat approval process outlined above.
 - a. *Incremental approval process.*
 - 1) Any subdivider who proposes to utilize the incremental approval process shall indicate the intention to utilize the incremental approval process at the pre-filing conference for conceptual plat review with staff as required below.
 - 2) Any subdivision for nonresidential land uses may be divided into two or more increments or phases for the purpose of secondary plat approval. In connection with a primary plat approval intending to utilize the incremental approval, the Plan Commission shall condition its primary plat approval upon the following requirements:
 - a) All lots created by an incremental secondary plat shall have either:
 - (1) Direct access to and from a public street; or
 - (2) Gain access to and from a public street across a perpetual recorded access easement through portions of the real estate included in the primary plat.
 - b) All lots created by an incremental secondary plat shall either contain within the limits of the incremental secondary plat or have legal access to adequate infrastructure to accommodate the fully developed needs of the incremental plat (i.e., storm water management, sanitary sewer, water, electric, gas, telephone and the like).

- 3) The Plan Commission may impose any other reasonable conditions on the primary plat approval of a nonresidential incremental subdivision deemed necessary to assure the orderly development of the nonresidential incremental subdivision. Such reasonable conditions may include the completion of, or posting a bond or other surety in lieu thereof for, improvements necessary to support each incremental secondary plat but which improvements may not be located within the bounds of the proposed incremental secondary plat.
 - b. *Improvements in incremental secondary plats.* Each incremental secondary plat shall be considered a separate secondary plat and the recording of easements, dedication of rights-of-way, infrastructure improvements or other required improvements proposed in the remaining sections of the primary plat may be deferred by the subdivider and completed in connection with the appropriate future incremental secondary plat, provided, however, the recording of easements, dedication of rights-of-way, construction of infrastructure improvements or other required improvements proposed in the primary plat which are determined by the Plan Commission as required to protect the public health, safety and welfare may be required prior to approval of the proposed incremental secondary plat.
 - c. *Filing requirements for nonresidential primary plats proposing to utilize an incremental secondary plat approval process.* Any subdivider who proposes to utilize the incremental secondary plat approval process shall indicate the intention to utilize the incremental secondary plat approval process at the pre-filing conference for conceptual plat review and on the application for a nonresidential primary plat.
 - d. *Review procedures for nonresidential primary plats proposing incremental secondary plat approval.*
 - 1) The subdivider shall submit a sketch plan for the proposed nonresidential subdivision for conceptual plat review by the staff at a pre-filing conference prior to filing a petition for primary plat approval with the Plan Commission.
 - 2) Staff shall review the sketch plan and shall notify the subdivider of any comments related to the design or contents of the sketch plan within ten business days of the submittal for conceptual plat review.
 - 3) Notwithstanding anything contained in this ordinance to the contrary, neither the staff's conceptual plat review of the sketch plan submitted at a pre-filing conference nor staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed primary plat.
 - 4) Petitioner may modify the sketch plan and file a petition for primary plat approval after the expiration of the ten business day period referred to above.
 - e. *Incremental secondary plat approval.* Incremental secondary plat approval is hereby delegated to the Director, provided that any and all conditions imposed by the Plan Commission on the primary plat have been fully complied with by the subdivider.
- E. RECORDING AND FILING OF RECORDED SECONDARY PLAT.** All subdivisions shall follow one of the following procedures in the recording and filing of recorded secondary plats with the Department of Planning and Zoning.
1. *Completion of improvements prior to recording.*
 - a. After:
 - 1) Completion of all required improvements, installations or lot improvements within a subdivision pursuant to approved construction plans;
 - 2) The submission of "as built" construction plans;
 - 3) The inspection and acceptance of all improvements, installations or lot improvements by the town; and
 - 4) The posting of a maintenance bond for all improvements, installations or lot improvements, the President and Secretary of the Plan Commission shall sign

and certify the secondary plat of a subdivision which shall then be recorded in the office of the Recorder of the county within 30 days of signing.

- b. One mylar copy of the recorded secondary plat and four blueline copies of the recorded secondary plat shall be filed with the Director within five business days of recording.
2. *Surety for improvements prior to recording.* After the posting of surety for required improvements, installations or lot improvements which is acceptable to the Plan Commission, the President and Secretary of the Plan Commission shall sign the secondary plat of a subdivision which shall be recorded in the office of the Recorder of the county within 30 days of signing. One mylar copy of the recorded secondary plat and four blueline copies of the recorded secondary plat shall be filed with the Director within five business days of recording.

F. SPECIAL PROVISIONS FOR THE AMENDMENT OF A SECONDARY PLAT. An administrative procedure is hereby established for the approval of an amendment to a recorded secondary plat to address minor corrections or adjustments to a recorded secondary plat where such corrections or adjustments are consistent with the intent, terms and conditions of the original primary plan as approved by the Plan Commission.

1. *Approval of an amendment to a secondary plat.* Approval of a minor amendment to a secondary plat is hereby delegated to the Director, provided that:
 - a. Any and all conditions imposed by the Plan Commission on the primary plat have been fully complied with by the subdivider;
 - b. The nature of the minor amendment is consistent with the determination of minor amendments set forth below.
2. *Procedures.* Amendments authorized by this Article 2.1F shall be filed in the same manner as a secondary plat, including, but not limited to:
 - a. Secondary plat application;
 - b. Filing fees; and
 - c. Consent of all owners of the land included in the proposed amendment.
3. *Determination of minor amendments.* The following corrections and adjustments to a secondary plat shall be considered minor amendments and may be approved through the use of the special provisions of this Article 2.1F:
 - a. Correction of a typographical error in a legal description;
 - b. Correction of a bearing, distance or curve data, provided such correction does not alter the location or boundary of any lot or easement;
 - c. Correction of a misspelling;
 - d. Correction of an incorrect or missing signature(s);
 - e. Correction or change of an address assigned to a lot;
 - f. Correction or change of an assigned street name;
 - g. Addition, deletion or modification of a note on a secondary plat that does not affect the use or enjoyment of a lot;
 - h. The addition, deletion or modification of the delineation of a feature (e.g., notations regarding areas subject to the national flood insurance program);
 - i. The name of a recorded subdivision;
 - j. Modification of the function of an easement to increase the use of the easement (e.g., change of a "sewer easement" to a general "drainage and utility easement");
 - k. The combination of two or more lots to create one or more lots that are all larger than the original lots being joined;

- l. The enlargement of a recorded nonresidential incremental lot to include abutting land which was part of the applicable primary plat but which abutting land has not yet been included in a recorded secondary plat; and
- m. The division of one or more nonresidential incremental lots into two or more nonresidential incremental lots in compliance with the terms and conditions of:
 - 1) The applicable primary plat;
 - 2) The terms and condition of the applicable District; and
 - 3) The provisions of Article 2.1D - Special Provisions for Nonresidential Incremental Subdivisions of this ordinance.
- 4. *Scope of minor amendments.* Minor amendments to a recorded secondary plat may apply to an entire recorded secondary plat or only that portion of a recorded secondary plat which is impacted by the amendment.
- 5. *Limitations on amendments.* The provisions of this Article 2.1F shall not be applicable to any of the following changes to a recorded secondary plat:
 - a. The vacation of a plat or portion of a plat, including plat covenants required by the Plan Commission;
 - b. The vacation of a public place;
 - c. The vacation of a platted easement;
 - d. The vacation of a public way or platted right-of-way; and
 - e. The vacation of any public lands or public places.
- 6. *Duration of approval.* The applicant shall record an amendment of a secondary plat within 60 days of approval. If the amended secondary plat is not recorded with the prescribed period, the approval shall be considered null and void.

ARTICLE 2.2. REQUIRED PLANS

2.2 REQUIRED PLANS. All plans prepared for primary or secondary plat approval shall be prepared in accordance with the following specifications.

- A. GENERAL.** If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for quality reproduction or recording.
- B. SKETCH PLANS FOR CONCEPTUAL PLAT REVIEW.**
 - 1. A sketch plan submitted for conceptual plat review may be an engineered drawing or a hand drawn plan, prepared at a useable scale (typically no smaller than one inch = 100 feet), which depicts:
 - a. Property boundaries, nearby or adjacent streets, and surrounding land uses sufficient to clearly identify the location of the proposed subdivision;
 - b. Major site features (i.e., streets, easements, drainage ways, substantial topography, burial grounds, wooded areas, wetlands or existing structures);
 - c. Conceptual layouts of proposed streets, lots, common areas, tree preservation areas, open space, sidewalks (or alternate plan for pedestrian ways), drainage features and the like;
 - d. Proposed uses for the lots*;
 - e. Location, size and capacity of major utility sources proposed to service the subdivision*;
 - f. Proposals for street or roadway improvements required to support the subdivision;
 - g. Proposed easements necessary to service all lots, including, but not limited to utilities, drainage features and access;

- h. Required setbacks or proposed building lines;
 - i. Potential for future extension of streets, sewers and drainage systems to surrounding tracts; and
 - j. Nature and extent of any development incentives pursuant to the Plainfield Zoning Ordinance or waivers of the Plainfield Subdivision Control Ordinance proposed for the subdivision.*
2. “*” Denotes items which may be provided in text form as a supplement to the sketch plan.
 3. The Director, in his or her sole discretion, may waive or relax any of the sketch plan requirements listed above, as circumstances dictate.

C. PLANS FOR PRIMARY PLAT APPROVAL OF MAJOR RESIDENTIAL SUBDIVISIONS.

A plan of the proposed primary plat of a major residential subdivision shall be drawn at a scale no smaller than one inch = 100 feet and shall include:

- a. Scale, date and north arrow;
- b. Legal description of the real estate to be subdivided;
- c. Area map insert showing the general location of the proposed subdivision with reference to major streets and section lines as well as all school district lines and the zoning district properly designated;
- d. Name of the subdivision (if a replat of an existing subdivision), proposed name for the subdivision (which shall not duplicate the name of any subdivision plat previously recorded or any subdivision plat for which primary approval is still in effect), or name by which property is locally known;
- e. Name, address, telephone number of the owner. If applicable, name address and telephone number of the agent representing the owner. Citation of last deed of record conveying title to each parcel involved in the proposed subdivision, including name of grantor, grantee, date and recording information;
- f. Name, address and telephone number of the developer and any design professional(s) responsible for the design of the subdivision, design of public improvements or for surveys;
- g. The complete text of any existing covenants on the property (if applicable);
- h. Accurate boundary lines of the proposed subdivision showing distances, bearings, angles and references to section corners, township and range lines;
- i. Location, width, dimension from the centerline and name of all existing and proposed public or private streets, access easements and rights-of-way located on and adjacent to the site;
- j. Location, sizes, elevations and slopes of all existing utility facilities and easements, including, but not limited to, sanitary sewer, water, storm water management, electric, gas, telephone and cable;
- k. Preliminary proposals for connection with existing sanitary sewer, water, storm water management, electric, gas, telephone and cable utilities;
- l. Layout, number and dimensions of all lots with proposed setback lines;
- m. Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the subdivision;
- n. Proposed finished floor elevation of all building pads adjacent to or within the floodplain;
- o. Drainage plan for all watersheds in and around the proposed subdivision, indicating the general drainage pattern of streets and lots, the location of all drainage channels and sub-surface drainage structures, the proposed method of disposing of all storm water runoff from the proposed subdivision including data to show that the proposed

- outlet(s) are adequate to accommodate the drainage requirements of the subdivision, and all existing and proposed detention facilities;
- p. Names of all legal ditches and streams on or adjacent to the subdivision;
 - q. A preliminary erosion control plan for all areas of site disturbance;
 - r. Topographic contour every two feet superimposed upon the proposed subdivision plat; provided, that the Director may require one-foot intervals on very flat land or permit five-foot intervals on very steep slopes;
 - s. Traffic study, if required by the terms and provisions of Ord. 18-97, "Access Permit Ordinance", as codified in §§ 93.15 through 93.27 of this code of ordinances;
 - t. All improvements to the street system on-site and off-site, including measurement of curb radius and taper;
 - u. Stop sign plan indicating the proposed location of all stop signs within the proposed subdivision;
 - v. Sidewalk plan (or alternate plan for pedestrian ways, when applicable);
 - w. Preliminary plans and specifications for all infrastructure improvements and installations required or proposed in the subdivision;
 - x. The approximate location, dimensions and area of all parcels of land proposed to be reserved for park, conservation, wetland, common area, lake or other similar uses for the use of property owners within the proposed subdivision;
 - y. Proposed covenants, commitments, conditions and restrictions for the subdivision;
 - z. If the subdivision is to be developed in sections, an indication of the approximate section boundaries;
 - aa. A proposed address plan for the subdivision consistent with the address patterns established for the town and county; and
 - bb. Any other information requested in writing by the Director, members of the Technical Advisory Committee or the Plan Commission deemed important to the development of the subdivision.
2. The Director, in his or her sole discretion, may waive or relax any of the requirements listed above for a primary plat of a major residential subdivision, as circumstances dictate.

D. PLANS REQUIRED FOR PRIMARY PLAT APPROVAL OF MINOR RESIDENTIAL SUBDIVISIONS.

1. A plan of the proposed primary plat of a minor residential subdivision shall be drawn at a scale no smaller than one inch = 100 feet and shall include:
 - a. Scale, date and north arrow;
 - b. Legal description of the real estate to be subdivided;
 - c. Area map insert showing the general location of the proposed subdivision with reference to major streets and section lines as well as all school district lines and zoning districts properly designated;
 - d. Proposed name of the subdivision;
 - e. Name, address, telephone number of the owner. If applicable, name address and telephone number of the agent representing the owner. Citation of last deed of record conveying title to each parcel involved in the proposed subdivision, including name of grantor, grantee, date and recording information;
 - f. Accurate boundary lines of the proposed subdivision showing distance, bearings, angles and references to section corners, township and range lines;
 - g. Names, centerlines and right-of-way widths of all existing streets, alleys and easements affecting or providing service to the proposed subdivision;
 - h. Layout, number and dimension of all lots with proposed setback lines;

- i. The complete text of any existing covenants on the property (if applicable);
 - j. Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the subdivision;
 - k. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable, if applicable;
 - l. All improvements to the street system on-site and off-site, including measurement of curb radius and taper;
 - m. Sidewalk plan (or alternate plan for pedestrian ways, when applicable);
 - n. The approximate location, dimensions and area of all parcels of land proposed to be reserved for park, conservation, wetland, common area, lake or other similar uses for the use of property owners within the proposed subdivision;
 - o. Proposed covenants, commitments, conditions and restrictions for the subdivision;
 - p. A proposed address plan for the subdivision consistent with the address patterns established for the town and county; and
 - q. Any other information requested in writing by the Director, members of the Technical Advisory Committee or the Plan Commission deemed important to the development of the subdivision.
2. The Director, in his or her sole discretion, may waive or relax any of the requirements listed above for a primary plat of a minor residential subdivision, as circumstances dictate.

E. PLANS FOR PRIMARY PLAT APPROVAL OF NONRESIDENTIAL SUBDIVISIONS.

1. A primary plat of the proposed subdivision drawn to a scale no smaller than one inch = 100 feet which includes:
 - a. Scale, date and north arrow;
 - b. Legal description of the real estate to be subdivided;
 - c. Area map insert showing the general location of the proposed subdivision with reference to major streets and section lines as well as all school district lines and zoning district properly designated;
 - d. Name of the subdivision (if a replat of an existing subdivision), proposed name for the subdivision (which shall not duplicate the name of any subdivision plat previously recorded or any subdivision plat for which primary approval is still in effect) or name by which property is locally known;
 - e. Name, address, telephone number of the owner. If applicable, name address and telephone number of the agent representing the owner. Citation of last deed of record conveying title to each parcel involved in the proposed subdivision, including name of grantor, grantee, date and recording information;
 - f. Name, address and telephone number of the developer and any design professional(s) responsible for the design of the subdivision, design of public improvements or for surveys;
 - g. The complete text of any existing covenants on the property (if applicable);
 - h. Accurate boundary lines of the proposed subdivision showing distance, bearings, angles and references to section corners, township and range lines;
 - i. Location, width, dimension from the centerline and name of all existing and proposed public or private streets, access easements and rights-of-way located on and adjacent to the site;
 - j. Location, sizes, elevations and slopes of all existing utility facilities and easements, including, but not limited to, sanitary sewer, water, storm water management, electric, gas, telephone and cable;

- k. Preliminary proposals for connection with existing sanitary sewer, water, storm water management, electric, gas, telephone and cable utilities;
 - l. Layout, number and dimension of all lots and out lots with proposed setback lines;
 - m. Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the subdivision;
 - n. Proposed finished floor elevation of all building pads adjacent to or within the floodplain;
 - o. Drainage plan for all watersheds in and around the proposed subdivision, indicating the general drainage pattern of streets and lots, the location of all drainage channels and sub-surface drainage structures, the proposed method of disposing of all storm water runoff from the proposed subdivision including data to show that the proposed outlet(s) are adequate to accommodate the drainage requirements of the subdivision, and all existing and proposed detention facilities;
 - p. Names of all legal ditches and streams on or adjacent to the subdivision;
 - q. A preliminary erosion control plan for all areas of site disturbance;
 - r. Topographic contour every two feet superimposed upon the proposed subdivision plat; provided, that the Director may require one-foot intervals on very flat land or permit five-foot intervals on very steep slopes;
 - s. Traffic study, if required by the terms and provisions of Ord. 18-97, "Access Permit Ordinance", as codified in §§ 93.15 through 93.27 of this code of ordinances;
 - t. All improvements to the street system on-site and off-site, including measurement of curb radius and taper;
 - u. Stop sign plan indicating the proposed location of all stop signs within the proposed subdivision;
 - v. Sidewalk plan (or alternate plan for pedestrian ways, when applicable);
 - w. Preliminary plans and specifications for all infrastructure improvements and installations required or proposed in the subdivision;
 - x. The approximate location, dimensions and area of all parcels of land proposed to be reserved for park, conservation, wetland, common area, lake or other similar uses for the use of property owners within the proposed subdivision;
 - y. Method and depiction of access for each lot or out lot (i.e., direct public street, private street, blanket easement or specifically located easement);
 - z. Designation of common site facilities to benefit all lots or out lots (i.e., parking areas, loading areas, interior access drives, private streets, storm water management, sanitary sewer, water, electric, gas, telephone, cable and the like);
 - aa. Proposed covenants, commitments, conditions and restrictions for the subdivision;
 - bb. If the subdivision is to be developed in sections, an indication of the approximate section boundaries;
 - cc. A proposed address plan for the subdivision consistent with the address patterns established for the town and county; and
 - dd. Any other information requested in writing by the Director, members of the Technical Advisory Committee or the Plan Commission deemed important to the development of the subdivision.
2. The Director, in his or her sole discretion, may waive or relax any of the requirements listed above for a primary plat of a nonresidential subdivision, as circumstances dictate.

- F. PLANS REQUIRED FOR PRIMARY APPROVAL OF NONRESIDENTIAL INCREMENTAL SUBDIVISIONS.** A primary plat application which proposes to utilize the incremental secondary plat approval process shall, in addition to the items specified above for the primary approval of nonresidential subdivisions, include the following items:

1. An indication of the approximate or conceptual boundaries of lots or out lots to be developed and submitted for secondary plat approval on an incremental basis; and
2. Indication of the staging or phasing of the extension of required improvements and installations to service each lot, out lot or phase of development, including, but not limited to, public or private street extensions, storm water management, sanitary sewer, water, electric, gas, telephone and cable.

G. PLANS FOR SECONDARY APPROVAL OF SUBDIVISIONS.

1. All sheets shall be of such size as is acceptable for filing in the office of the County Recorder (no larger than 18 by 24 inches).
2. All plans submitted for secondary plat approval shall be prepared by a state licensed land surveyor and shall contain the following information:
 - a. Name of subdivision (and section number, if applicable);
 - b. Name of the surveyor and developer;
 - c. Surveyor's stamp, address and phone number on all pages except pages showing only covenants or special conditions;
 - d. Scale, date and north arrow;
 - e. Legal description of the real estate to be subdivided;
 - f. Wherever lines are required to have a dimension in these regulations, the length of all required lines shall be specified in feet and two decimal places thereof and the value of all required true bearings shall be specified in degrees, minutes and seconds;
 - g. Name of each public or private street within and adjacent to the subdivision. For each street, include lengths and bearings for the centerline and rights-of-way;
 - h. Notarized certification by owner(s) of all real estate subject to the subdivision clearly and precisely stating whether the improvements contained within the subdivision are to be dedicated to and maintained by the town, or whether said improvements are to be owned and maintained by a private entity or owners' association;
 - i. Clear outline of any property which is offered for dedication to public use shall be depicted with all dimensions by lengths and bearings with the area marked "public", "common area" or other appropriate title;
 - j. The lines of all lots or out lots shall be fully depicted by lengths and bearings;
 - k. Any building setback lines in excess of those required by the Town Zoning Ordinance required for the subdivision;
 - l. Location, delineation and elevation of all floodway and floodway fringe areas within the boundaries of the subdivision;
 - m. Proposed finished floor elevation of all building pads adjacent to or within the floodplain;
 - n. Names of all legal ditches and streams on or adjacent to the subdivision;
 - o. All utility easements as approved by the Plan Commission;
 - p. Signature and certification of the President and Secretary of the Plan Commission on all pages;
 - q. All covenants, conditions and restrictions that are:
 - 1) Either imposed by the Plan Commission or offered by the owner; and
 - 2) Which the Plan Commission accepts the right to enforce.
 - r. In the case of a re-plat, the recording information of any previously recorded subdivision shall be shown on the front page of the plat;
 - s. For single-family or two-family subdivisions, address of each lot as approved by the Plan Commission or the Director; and

- t. In the case of a secondary plat approval of a lot in a nonresidential incremental subdivision, one copy of an overall plan for all real estate contained in the primary plat, updated to show: all previously approved lots, rights-of-way or easements; and the proposed lot.

H. CONSTRUCTION PLANS. Construction plans for all improvements, installations and lot improvements required by this ordinance, the Plan Commission or other applicable ordinances of the town, including, but not limited to street base, street binder, curbs, sanitary sewer, storm drainage, street topcoat, street signs, sidewalks, monumentation, lot drainage, soil preservation, erosion control, fencing, debris and waste removal, and final grading and lawn preparation shall contain the details required for review of such improvements, installations and lot improvements as specified in:

1. Town Standards,
2. Chapter 51.01 through 51.16 of the Plainfield Town Code: General Sewer Use and Wastewater Pretreatment”,
3. Chapter 52 of the Plainfield Town Code: Water Regulations,
4. Chapter 54.01 through 54.15 of the Plainfield Town Code: Drainage Chapter,
5. Chapter 55.01 through 55.16 of the Plainfield Town Code: Water Use Chapter
6. Chapter 56 of the Plainfield Town Code: Storm Water.
7. Chapter 93.15 through 93.27 of the Plainfield Town Code: Access to Public Streets and Thoroughfares, and;
8. Chapter 152 of the Plainfield Town Code: Flood Hazard Reduction”,

I. PLANS FOR AMENDED SECONDARY APPROVAL OF SUBDIVISIONS. All plan sheets submitted as part of an amended secondary plat application shall, in addition to the items specified above for secondary plat approval, include the following information:

1. The name of the subdivision shall begin with the words “amended secondary plat for _____ (include section number, if applicable)”; and
2. A note shall be added to each page which identifies or describes the nature of the amendment.

ARTICLE 2.3. COMPLETION AND MAINTENANCE OF IMPROVEMENTS

2.3 COMPLETION AND MAINTENANCE OF IMPROVEMENTS. Insofar as allowable pursuant to and in accordance with I.C. 36-7-4-701 et seq. as amended, improvements, installations and lot improvements required by this ordinance shall either be: (i) complete, as set forth in subsection A below; or, (ii) assurance for their completion and maintenance shall be provided as set forth in subsection B below; for all Subdivisions which involve the dedication and extension of any easement or public improvement, or the acceptance of any easement or public improvement by the Town of Plainfield. Minor residential subdivisions which do not involve the dedication and extension of any easement or public improvement shall be exempt from the provisions of this Article 2.3.

A. COMPLETION OF IMPROVEMENTS, INSTALLATIONS AND LOT IMPROVEMENTS.

Before the secondary plat is signed by the President and Secretary of the Plan Commission and after a site and infrastructure permit is issued by the Town, the subdivider shall complete, in accordance with the Plan Commission’s decision and to the satisfaction of the town, all public improvements (including, but not limited to: street, street signs, sanitary sewer, storm drainage, sidewalk and water) and lot improvements (including, but not limited to: erosion control, final grading and soil preservation, lot drainage, removal of debris and waste, fencing and lawn seeding or sodding), as required by this ordinance and specified in the secondary

plat approved pursuant to this ordinance, and dedicate the public improvements to the town, free and clear of all liens and encumbrances on the dedicated property and public improvements.

B. SURETY FOR IMPROVEMENTS, INSTALLATIONS AND LOT IMPROVEMENTS.

1. Before the secondary plat is signed by the President and Secretary of the Plan Commission, the subdivider shall post a performance bond or irrevocable letter of credit in a form acceptable to the Plan Commission in which the subdivider covenants to complete unfinished streets, sanitary piping, storm water piping systems, water mains, and ornamental landscaping in common areas, and erosion control no later than two years following the date on which the President and Secretary of the Plan Commission sign and certify the secondary plat. The subdivider shall covenant to maintain each required improvement and also shall warrant that all required improvements will be free from defects for a period of three years following the acceptance by the town of the dedication of the last completed improvement. The performance bond shall provide that the covenants contained in the performance bond shall run with the land and bind all heirs, executors, administrators, successors and assigns of the subdivider. The performance bond shall contain such other terms and conditions as agreed to by the subdivider and the Plan Commission.
2. The subdivider shall provide a performance bond or irrevocable letter of credit meeting the requirements of the foregoing subsection (A) before the seal of the Plan Commission is affixed and attached to the secondary plat. The performance bond or irrevocable letter of credit posted hereunder shall be released upon completion to the satisfaction of the town of the subject matter upon which the instrument was obtained. The performance bond or irrevocable letter of credit shall be partially released on an annual basis, or on a more frequent basis in accordance with a partial release schedule agreed to in a signed writing by the Director and the subdivider either before or during development.

C. PROOF OF COMPLIANCE. Upon completion of all improvements and installations as required by this ordinance, the subdivider shall furnish the Plan Commission with appropriate documentation indicating that said improvements, installations and lot improvements have been constructed, installed and completed in compliance with the provisions of this ordinance, the requirements of the Plan Commission and the provisions of other applicable ordinances of the town. The Plan Commission shall, by rule, prescribe the procedures for determining whether all improvements, installations and lot improvements have been constructed and completed as required by this ordinance.

D. COMPLETION LETTER. Upon acceptance of a required improvement or installation, the accepting agency or department of the town shall provide a completion letter to the subdivider stating that the required improvements and installations for which that agency or department is responsible have been accepted for maintenance by the town, subject to the terms of a maintenance bond, as required below, and shall file a copy of such completion letter with the Director of the Department of Planning and Zoning.

E. MAINTENANCE BOND. Upon completion of all required improvements and installations, but prior to the acceptance of such improvements and installations for public maintenance, the subdivider shall provide a three-year maintenance bond, with the subdivider or some other person satisfactory to the Plan Commission as principal, which shall:

1. Run jointly and severally to the Town Council and the Plan Commission;
2. Be in an amount equal to 10% of the amount of the performance bond for the improvements and installations subject to the maintenance bond;
3. Provide surety satisfactory to the Plan Commission;
4. Warrant the workmanship and materials used in the construction, installation and completion of said improvements and installations to be of good quality and have been

constructed and completed in a workmanlike manner in accordance with the standards, specifications and requirements of this ordinance and the satisfactory construction plans and specifications therefore submitted to the Director of the Department of Planning and Zoning;

5. Provide that for a period of three years after formal acceptance, the subdivider shall, at the subdivider's expense, make all repairs to said improvements and installations, or the foundations thereof, which may become necessary by reason of improper workmanship or materials, but not including any damage to said improvements and installations resulting from forces or circumstances beyond the control of said subdivider or occasioned by the inadequacy of the standards, specifications or requirements of this ordinance;
6. Maintenance bonds shall be filed on forms approved for use by the Plan Commission; and
7. The beneficiary of all maintenance bonds shall be the Town Council.

F. USE OF BOND FUNDS. Any funds received from the performance bonds for subdivision improvements and installations or from the maintenance bonds for the maintenance of improvements and installations required by this ordinance shall be used only for the purpose of making improvements, installations or repair for which said bonds were provided in accordance with the standards, specifications and this ordinance.

G. DEFERRAL OR WAIVER OF REQUIRED IMPROVEMENTS.

1. The Plan Commission shall have the authority to defer or waive, in its discretion, at the time of primary plat approval and subject to any appropriate conditions, the provision of any or all of the public improvements required by this ordinance which, in the judgement of the Plan Commission, are:
 - a. Not required to protect the public health, safety and general welfare;
 - b. Inappropriate because of incompatible grades, future planning, the inadequacy or non-existence of connecting facilities; or
 - c. Inappropriate for other reasons presented to and agreed to by the Plan Commission. Any determination to defer or waive the provisions of any public improvements or installations required by this ordinance shall be accomplished by way of a motion, approved by a majority vote of the Plan Commission at a public hearing, which motion shall include the reasons for the deferral or waiver.
2. When the Plan Commission, in its discretion, determines that a deferral of an improvement or installation is appropriate, the subdivider shall post a separate performance bond or irrevocable letter of credit, in an amount determined by the Plan Commission, guaranteeing completion of the deferred improvements or installations upon demand by the town.

H. APPROVAL OF CONSTRUCTION PLANS. No construction of any improvement, installation or lot improvement within a subdivision required by this ordinance, the Plan Commission or any other applicable ordinance of the town shall commence prior to the issuance of a site and infrastructure permit by the Town.

ARTICLE 3.1: GENERAL IMPROVEMENTS

3.1 GENERAL IMPROVEMENTS. In addition to the requirements established in this ordinance, the subdivider is required to follow other laws, rules and regulations, which have been duly adopted under state law, which apply to all subdivision plats. In particular, the subdivider is required to comply with the following laws, rules and regulations:

- A.** All applicable state and local statutory provisions;

- B. The Town Zoning Ordinance, Building and Housing Codes, and all other applicable laws and ordinances of the appropriate jurisdictions;
- C. The Comprehensive Plan, Thoroughfare Plan, Master Water Plan, Master Sewer Plan and Capital Improvements Program, including all streets, drainage systems and parks shown on the Comprehensive Plan;
- D. The special requirements of this ordinance and any applicable rules of the County Health Department and appropriate state agencies;
- E. The standards, rules and regulations of the Indiana Department of Transportation, if the subdivision or any lot contained therein abut a state highway or frontage street;
- F. The standards and specifications adopted by the Town Engineer and all boards, commissions, agencies and officials of the town; and
- G. All pertinent standards contained within still valid planning guides published and adopted by the Plan Commission.

ARTICLE 3.2. LOTS

A. LOT ARRANGEMENT.

1. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing improvement location permits or building permits to build on all lots in compliance with the Town Zoning Ordinance, Building Code or other applicable local, state or federal regulations.
2. The design, character, grade, location and orientation of all lots, shall be appropriate for the uses proposed, and logically related to existing and proposed topography.
3. Every lot shall have sufficient and adequate access to a street constructed, or to be constructed, in accordance with the provisions, standards and specifications of this ordinance.

B. BLOCK AND LOT NUMBERING.

1. Blocks shall be consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered and lettered consecutively throughout the several additions.
2. All lots in each block shall be consecutively numbered. Out lots shall be lettered in alphabetical order. If blocks are numbered or lettered, out lots shall be lettered in alphabetical order within each block.

C. LOT DIMENSIONS.

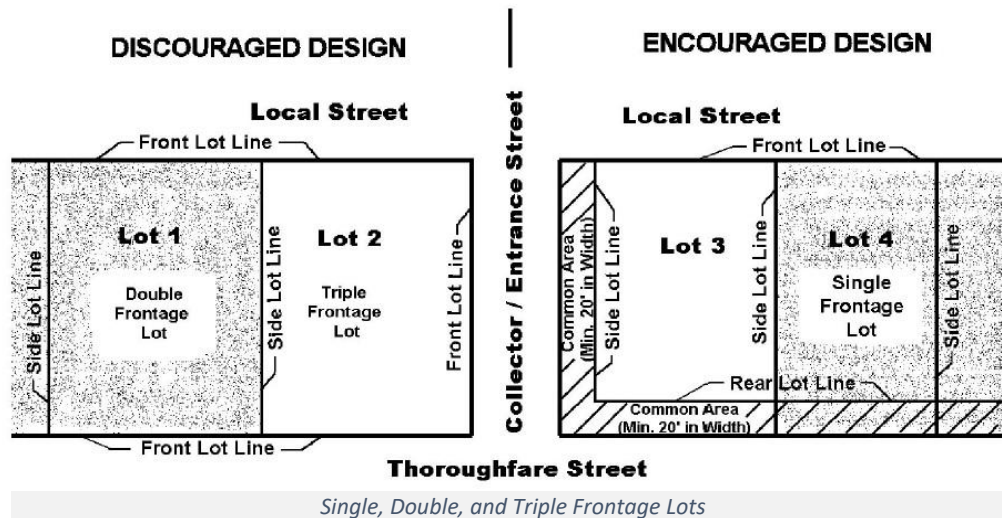
1. Lot dimensions, including, but not limited to, lot width, lot depth and lot area, shall comply with the minimum standards of the applicable zoning ordinance, zoning commitment, variance grant or development plan approval.
2. Land reserved for any proposed street, drainage pond, wetland or lands subject to periodic flooding shall not be counted in satisfying the minimum yard and lot area requirements of the Town Zoning Ordinance.
3. In general, lots shall be arranged so that:
 - a. Side lot lines are at right angles to street lines (or radial to curving street lines) unless a deviation from this rule will give a better street or lot plan;
 - b. Dimensions of corner lots shall be large enough to allow for the erection of buildings while observing the minimum required front yard setback applicable on each street frontage; and

- c. Commercial or industrial lots shall be of adequate size and configuration to provide for off-street parking, off-street loading, bufferyards and other applicable requirements of the Town Zoning Ordinance.

D. LOT ORIENTATION. The lot line common to the street right-of-way line shall be the front lot line. All lots shall, whenever practical, face the front lot line. Whenever feasible, lots shall be arranged so that the rear lot lines do not abut the side lot line of an adjacent lot.

E. DOUBLE FRONTAGE LOTS. Double frontage lots shall be avoided whenever practical. Double frontage lots may be acceptable when necessary to provide for the separation of a development and its related access points from the traffic on a bordering primary or secondary street or to overcome specific disadvantages of topography and orientation affecting the subdivision.

F. TRIPLE FRONTAGE LOTS. Triple frontage lots (i.e., those lots which have frontage on three streets) shall be prohibited in residential subdivisions unless a waiver is granted by the Plan Commission.



G. LOT ACCESS.

1. Lots shall not, in general, derive access exclusively from a primary or secondary street. Where a driveway from a primary or secondary street is determined to be necessary, the Plan Commission may require that such driveway be developed as a common driveway or frontage street in order to limit possible traffic hazards on the primary or secondary street. Where possible, driveways shall be designed and arranged so as to avoid requiring or encouraging vehicles to back into traffic on primary or secondary streets.
2. Regulations governing the approval of new or modified access to public streets shall be in accordance with Ord. 18-97, "Access Permit Ordinance", as codified in §§ [93.15](#) through [93.27](#) of this code of ordinances.

H. LOT DRAINAGE. All lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm water drainage pattern for the subdivision. Drainage shall be designed so as to avoid the concentration of storm water runoff from a lot onto adjacent lots. Each lot owner shall maintain the lot grade, as it relates to storm water drainage, in compliance with the approved construction plans.

I. DEBRIS AND WASTE. No junk, rubbish or other waste materials of any kind, whether natural (i.e., cut trees, debris or rocks) or construction related (i.e., concrete or building

materials) shall be buried in any land at any time, nor shall these materials be left or deposited on any lot or street at the time of the release of the maintenance bond. No items and materials described above shall be left or deposited in any area of the subdivision at the time of dedication of public improvements.

J. SOIL PRESERVATION, FINAL GRADING AND LAWN PREPARATION.

1. No final certificate of zoning compliance shall be issued until final grading and seeding or sodding has been completed for the entire lot including the area between the street curb and the sidewalk in accordance with approved construction plans, except those portions of the lot covered by buildings, parking areas, interior access drives or other improvements authorized by improvement location permit, or where the grade has not been changed and natural vegetation has not been damaged.
2. It is recommended that all lawn areas not provided with automatic irrigation systems should be seeded or sodded during the planting seasons of between March 15 and May 15, or between August 15 and September 30 of each year.
3. The Director may issue a temporary certificate of zoning compliance between October 1 and March 15, or between May 15 and August 15 of each year conditioned upon the completion of seeding or sodding during the next planting season.

K. WATERBODIES AND WATERCOURSES. No part of the minimum lot area required under the applicable zoning ordinance, zoning commitment, variance grant or development plan approval may be satisfied by land that is under water. Where a watercourse separates the buildable area of the lot from the street by which it has access, provisions shall be made for the installation of a culvert or other appropriate structure, of a design approved by the Town Engineer. If a subdivision contains an existing or to be developed waterbody, watercourse, or portion thereof, appropriate documentary assurances acceptable to the Plan Commission shall be provided for the maintenance of such waterbody or watercourse.

L. FENCING. The Plan Commission may, in its discretion, require the subdivider to install fencing on or around such lot, block, common area or other portion of a proposed subdivision in order to mitigate a potential hazard. Fencing so required shall be installed in accordance with standards required by the Plan Commission and approved by the Town Engineer.

M. BUILDING SETBACK LINES. Minimum building setback lines shall be regulated by the setback provisions of the Town Zoning Ordinance applicable to the subdivision. Setbacks in excess of such zoning ordinance standards may be platted, however, such excess setback requirements will not be enforced by the Plan Commission unless such excess setback requirement is part of a zoning commitment, variance grant or development plan approval.

N. LOT ADDRESSING.

1. Addresses for all lots within a subdivision shall conform as closely as practical to the address grid pattern established for the town. The east/west baseline grid shall be Vine Street. The north/south baseline grid shall be U.S. 40. Wherever possible, the grid pattern for new subdivisions shall be laid out so as to reserve one address number for each 20 feet of frontage of a lot. Addresses shall conform to the nearest number which approximates the location of the proposed driveway, building or entrance doorway on a lot. Numbers assigned to the west side of north/south streets and the north side of east/west streets shall be even numbers. Numbers assigned to east side of north/south streets and the south side of east/west streets shall be odd numbers.
2. Any areas within the planning jurisdiction of the town but which falls under the county address system, shall adapt the above guidelines to the address grid for the county.

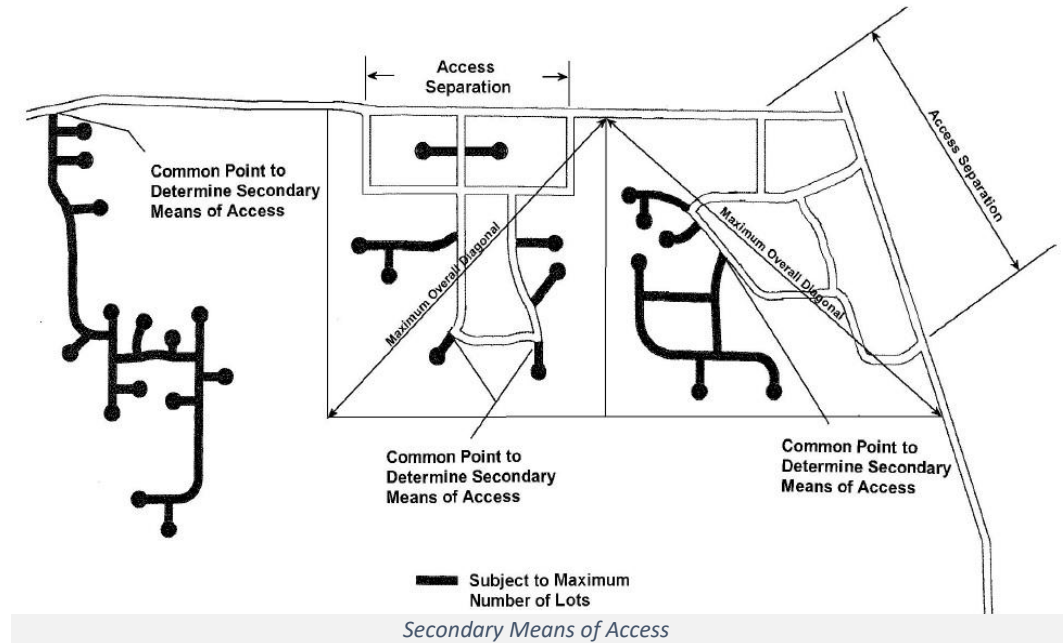
ARTICLE 3.3. STREETS

- A. CLASSIFICATION.** All proposed subdivision plats submitted for Plan Commission approval pursuant to this ordinance shall allocate adequate areas for streets in conformity with the Comprehensive Plan and shall designate and label all such streets thereon in accordance with the street classifications set forth below.

Street Classifications
<ul style="list-style-type: none"> • Collector street • Limited access street • Local collector street • Local street • Primary arterial street • Private street • Public street • Secondary arterial street

- B. GENERAL REQUIREMENTS FOR STREET DESIGN.** All streets, whether public or private, shall comply with the following general requirements for street design.

1. *Street names.* Streets which are extensions or a continuation of, or obviously in alignment with, any existing streets, either constructed or appearing on any validly recorded plat or survey, or valid plat previously approved by the Plan Commission, shall bear the names of such existing streets. Names for all other streets shall be sufficiently different in sound and in spelling from other streets in the town or other nearby areas so as to avoid confusion.
2. *Alleys.* Alleys may be proposed in such instances where the use of alleys was indicated on a development plan approved by the Plan Commission, or where the development represents an in-fill situation and the use of alleys would be compatible with the development pattern of the area surrounding the proposed subdivision.
3. *Access to areas abutting thoroughfares.* If the proposed subdivision abuts upon or contains an existing or proposed primary arterial street, secondary arterial street or limited access street, the street plan shall provided vehicular access to each lot abutting such streets by one of the following means:
 - a. A frontage street running generally parallel to the primary, secondary or limited access street and whose right-of-way is separate from the right-of-way of such primary, secondary or limited access street;
 - b. A local or collector street running generally parallel to the primary, secondary or limited access street with the rear of the lots backing up to the primary, secondary or limited access street and no access shall be provided to the primary, secondary or limited access street; or
 - c. A series of cul-de-sac streets, U-shaped streets or short loop streets entered from and designed generally at right angles to a local or collector street running generally parallel to the primary, secondary or limited access street, with the rear lines of their terminal lots backing onto the primary, secondary or limited access street.
4. *Secondary means of access.*
 - a. *Secondary access to a subdivision.* Any major residential subdivision which contains 30 or more lots shall:
 - 1) Provide a secondary means of access from an improved perimeter public street; or
 - 2) Provide a divided local collector street as the means of access from an improved perimeter public street back to a point of intersection with an internal street network where all lots can be accessed by more than one direction.



- b. *Secondary access within a subdivision.* Within a major residential subdivision, no portion of the subdivision shall include more than 30 lots which cannot be accessed from more than one direction.
- c. *Remote secondary access.* Any major residential subdivision which contains 60 or more lots shall provide a remote secondary means of access which complies with the Town Access Control Ordinance and is separated from at least one other access point into the subdivision by a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between access points.
- d. *Exception.* In any major residential subdivision where all dwelling units within the subdivision are served by a residential sprinkler system in compliance with either:
 - 1) NFPA 13 Standard for the Installation of Sprinkler Systems;
 - 2) NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes; or
 - 3) NFPA 13R Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, the maximum number of lots which may be developed without being required to provide a remote secondary means of access shall be increased to 120 lots.
- e. *Design of remote secondary access.*
 - 1) A remote secondary means of access may be designed as:
 - a) A dedicated public street; or
 - b) A gated or un-gated emergency vehicle access easement providing direct access to an improved perimeter public street or connecting to a public street in an abutting subdivision which provides access to an improved perimeter public street.
 - 2) If a remote secondary means of access is provided by way of an emergency vehicle access easement, such emergency vehicle access easement shall be designed to comply with the requirements for a “fire apparatus access road”, including having a minimum pavement width of 20 feet and being constructed of a heavy duty pavement

section of asphalt, concrete or other driving surface approved by the Town Fire Chief or his or her designee, and capable of supporting an imposed load of fire apparatus weighing at least 75,000 pounds.

5. *Dead end streets.* Permanently dead-end streets (except for cul-de-sac streets provided in compliance with the provisions of this ordinance) shall be prohibited. A temporary dead-end street may be permitted in any case in which a street is proposed to be and should logically be extended beyond the limits of the subdivision, but is not yet constructed beyond said subdivision limits. The right-of-way of a temporary dead-end street shall extend to the property line of the subdivision. An adequate easement for turn-around shall be provided for any such temporary dead-end street which extends 250 feet or more, with a temporary turn-around provided. A notation on the plat shall state that the land outside the normal street right-of-way shall revert to the abutting lots and property owners when the street is continued, constructed and, if a public street, accepted by the town.
6. *Frontage on improved streets.*
 - a. No subdivision shall be approved unless the area to be subdivided shall have frontage on and gain access from:
 - 1) An existing town, county or state street; or
 - 2) A street shown upon a plat approved by the Plan Commission and recorded in the office of the County Recorder.
 - b. Such street must be improved as required by the rules, regulations or specifications of the responsible agency, or be secured by a performance bond as required by this ordinance, with the width of the right-of-way and pavement to be in compliance with the thoroughfare and this ordinance.
7. *Grading and improvement plan.* Streets shall be graded and improved to conform with the construction standards and specifications set forth the town standards and in Table 3.3-A: Minimum Design Standards for Streets. Such construction standards and specifications shall be indicated on construction plans required prior to secondary plat approval and shall be approved as to design and specification by the Town Engineer.
8. *Topography and arrangement.*
 - a. Streets shall be appropriately related to site topography. All streets shall, wherever practical, be arranged so as to maximize the number of lots located at, or above, the street grades. Street grades shall conform as closely as possible to the original topography. A combination of steep grades and sharp curves shall be avoided wherever practical.
 - b. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established in the Thoroughfare Plan.
 - c. Local streets shall be laid out to conform to as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient, safe and efficient access to the subdivision.
 - d. Proposed collector streets shall, where appropriate, be extended to the boundary lines of the subdivision unless such extension is prevented by topography or other physical conditions, or unless, in the opinion of the Plan Commission, such extension is not necessary or desirable for the purpose of coordinating with existing street layouts or providing for the most advantageous development of future tracts.
 - e. Streets, access drives, driveways, interior access driveways and interior access drives shall be planned in connection with the groupings of buildings, location of rail facilities, and the provision of public or private alleys, truck loading areas and truck maneuvering areas, walkways, bikeways and parking areas so as to minimize conflict of movement between the various types of vehicular and pedestrian traffic.

9. *Street signs, pavement markings and traffic control signs.* The subdivider shall provide street signs at every street intersection within the subdivision. The subdivider shall also provide pavement markings and traffic control signs at required locations. All street signs, pavement markings and traffic control signs shall conform to the town standards and the *Indiana Manual on Uniform Traffic Control Devices for Streets and Highways* as published by the Indiana Department of Transportation.
 10. *Street lights.* The subdivider shall provide and install street lights within the subdivision to conform with the town construction standards and specifications for street lights. Street light plans shall be approved by the Town Council.
 11. *Reserve strips.* Except where specifically authorized by the Plan Commission for the purpose of minimizing traffic conflicts with primary or secondary arterial streets or railroads, the creation of reserve strips adjacent to the right-of-way which may be used to deny access to a street shall not be permitted.
 12. *Arrangement of streets.* In order to provide for the convenient movement of traffic, effective fire protection, efficient provision of utilities or where such connection is in accordance with the Comprehensive Plan, streets shall be arranged so as to provide for the continuation of collector streets and larger streets between adjacent subdivisions.
 13. *Cul-de-sac streets.* Cul-de-sac streets, when approved by the Plan Commission, shall not normally be located nearer to a subdivision boundary than 50 feet. All cul-de-sac streets shall be provided with adequate rights-of-way and pavement width in accordance with the design specifications of the town construction standards and specifications set forth in the town standards and Table 3.3-A: Minimum Design Standards for Streets. The Plan Commission may, however, require the provision of appropriate easements between the end of the cul-de-sac and the subdivision boundary necessary to accommodate drainage facilities, pedestrian ways or utilities. In no event shall a cul-de-sac measure more than 800 feet in length, measured from centerline of an intersecting street (excluding another cul-de-sac) to the center point of the radius of the turn-around.
 14. *New perimeter streets.* Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the subdivider. The Plan Commission may authorize a new perimeter street around a proposed subdivision where the subdivider improves and dedicates the entire required right-of-way width within the boundary of said proposed subdivision.
 15. *Widening and realignment of existing streets.* Where a subdivision borders an existing narrow street or when the Thoroughfare Plan indicates plans for realignment or widening of a street that would required use of some of the land in the subdivision, the subdivider shall be required to dedicate that portion of such existing street which is contained within the land subject to the secondary plat of the subdivision to the full width required by this ordinance, and improve such street as required by the Plan Commission. Land reserved for any street purposes shall not be counted in satisfying the minimum yard or lot area requirements of the Town Zoning Ordinance.
 16. *Dedication.* All public streets shall be dedicated to the town on the secondary plat free and clear of all liens and encumbrances by use of the following language: "All streets shown on this plat, and not heretofore dedicated, are hereby dedicated to the Town of Plainfield, Indiana".
- C. DESIGN STANDARDS FOR ALL PUBLIC STREETS.** In order to provide for streets which are of a suitable location, width, material and improvement to accommodate prospective traffic and afford satisfactory access to police, firefighting, snow removal, sanitation and road maintenance equipment, and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, all streets which are to be dedicated to,

and accepted for maintenance by the town shall be designed and constructed in accordance with:

1. Table 3.3-A: Minimum Design Standards for Streets;
2. Current town standards as approved by the Town Council;
3. Ord. 18-97, "Access Permit Ordinance", as codified in §§ [93.15](#) through [93.27](#) of this code of ordinances;
4. American Association of State Highway and Transportation Officials (AASHTO): A Policy on Geometric Design of Highways and Streets (commonly referred to as the "Green Book");
5. Indiana Department of Transportation Standard Specifications; and
6. *Indiana Manual on Uniform Traffic Control Devices for Streets and Highways*.

D. EXCESS RIGHT-OF-WAY. Right-of-way widths in excess of those recommended by the Thoroughfare Plan and required by this ordinance shall be required whenever, due to topography, additional width is necessary to provide for adequate and stable earthen side slopes. Such earthen side slopes shall not be in excess of one foot vertical for each three feet horizontal.

E. BRIDGES. Bridges of primary benefit to the subdivider, as determined by the Plan Commission, shall be constructed at the full expense of the subdivider without reimbursement from the town. The sharing of expense for the construction of bridges not of primary benefit to the subdivider, as determined by the Plan Commission, will be fixed by special agreement between the town and the subdivider.

F. DESIGN STANDARDS FOR ALL PRIVATE STREETS. Private streets (which are not intended to be dedicated to or accepted by the town for maintenance), which have been authorized for use by zoning commitment, variance grant or development plan approval, shall comply with the minimum pavement width standards set forth in Article 4.13 of the Plainfield Zoning Ordinance and the minimum depth and materials standards set forth in the town standards.

	<i>All Uses</i>			<i>Commercial/Industrial Uses</i>			<i>Residential Uses</i>		
	<i>Divided Arterial</i>	<i>Primary Arterial</i>	<i>Secondary Arterial</i>	<i>Collector</i>	<i>Commercial Use/ Local</i>	<i>Industrial Use/Local</i>	<i>Collector</i>	<i>Local Collector</i>	<i>Local</i>
Right-of-way	100 ft.	80 ft.	70 ft.	70 ft.	50 ft.	60 ft.	70 ft.	60 ft.	50 ft.
Pavement width	2 @ 24 ft.	48 ft.	40 ft.	36 ft.	26 ft.	28 ft.	36 ft.	30 ft.	26 ft.
Median	16 ft.	No	No	No	No	No	No	No	No
Curb and gutter	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Back-to-back of curb	2 @ 28 ft.	52 ft.	44 ft.	40 ft.	30 ft.	32 ft.	40 ft.	34 ft.	30 ft.
Depth and materials	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Sidewalks	Yes - 6 ft.	Yes - 6 ft.	Yes - 6 ft.	Yes - 6 ft.	Yes - 6 ft.	Yes - 6 ft. ⁽¹⁾	Yes - 6 ft.	Yes - 6 ft.	Yes - 4 ft.
Maximum grade	(2)	(2)	(2)	6.0%	6.0%	6.0%	6.0%	6.0%	6.0 %

Minimum grade ⁽⁵⁾	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5 %
Curve radius	(2)	(2)	(2)	200 ft.	200 ft.	200 ft.	75 ft.	75 ft.	75 ft.
Length of tangent	(2)	(2)	(2)	200 ft.	200 ft.	200 ft.	150 ft.	150 ft.	100 ft.
Sight distance	(2)	(2)	(2)	240 ft.	200 ft.	200 ft.	240 ft.	200 ft.	200 ft.
Corner radius	(2)	(2)	(2)	40 ft.	40 ft.	40 ft.	25 ft.	25 ft.	20 ft.
Transition curve ⁽³⁾	N/A	N/A	N/A	N/A	70 ft./60 ft.	70 ft./60 ft.	N/A	N/A	50 ft./40 ft.
Cul-de-sac ⁽⁴⁾	N/A	N/A	N/A	N/A	140 ft./120 ft.	140 ft./120 ft.	N/A	N/A	100 ft./80 ft.
⁽¹⁾ Sidewalks not required in I-2, I-3 and I-4 Districts									
⁽²⁾ Standards as required by Town Engineer or Indiana DOT Design Standards									
⁽³⁾ Transition curve listed in terms of radius to right-of-way/back of curb									
⁽⁴⁾ Cul-de-sac listed in terms of diameter of right-of-way/back-to-back of curb diameter									
⁽⁵⁾ Minimum length of vertical curve - 100 ft., but not less than 20 ft. for each percent of algebraic difference in grade or as required by AASHTO									

ARTICLE 3.4. SIDEWALKS

A. SIDEWALK LOCATION.

1. Sidewalks shall be located along each side of a street within the dedicated, non-paved portion of the street right-of-way.
2. Exception: sidewalks shall not be required along local streets which serve only I-2, I-3 or I-4 Districts.

B. PEDESTRIAN/BIKE PATH ALTERNATIVE. Under circumstances considered appropriate by the Plan Commission or when approved for use as part of a development plan approval, an alternative pedestrian/bike path may be proposed in lieu of sidewalks. Pedestrian/bike paths shall be a minimum of six feet in width to a maximum of 18 feet in width and may be located in easements reserved for such use outside of the street right-of-way.

C. SIDEWALKS AND PEDESTRIAN/BIKE PATH STANDARDS.

1. Sidewalks shall be constructed in compliance with the town standards.
2. Pedestrian/bike paths may be constructed of concrete, asphalt or other material approved by the Plan Commission and installed in compliance with the requirements specified by the Plan Commission.

D. PEDESTRIAN ACCESS EASEMENTS. In order to facilitate pedestrian access from streets to schools, parks, playgrounds or other nearby streets, the Plan Commission may require, perpetual, unobstructed pedestrian access easements at least 20 feet in width. Such pedestrian access easements shall be indicated on the secondary plat.

ARTICLE 3.5. MONUMENTATION

3.5 MONUMENTATION. The subdivider shall place permanent reference monuments in the subdivision as required by this ordinance and as approved by a state registered land surveyor to provide interior and exterior control as well as lot location within the subdivision. The control is to be established so as to

provide a record of the registered land surveyor who is responsible for the location of the monumentation. All markers installed shall meet the spirit and intent of this Article while providing specific reference to the registration number of the survey professional.

- A. STREET MONUMENTS.** The subdivider shall have set under the supervision of a registered land surveyor appropriate permanent monuments at all angle points and intersections of street centerlines providing horizontal street control throughout the subdivision. Such permanent monuments shall be set as soon as practical after the potential for damage by continued construction activity has ended. The permanent monuments shall be presented complete and correct in location at the time of subdivision acceptance.
- B. SUBDIVISION BOUNDARY MONUMENTS.** The subdivider shall have set under the supervision of a registered land surveyor appropriate permanent monuments at all corners, angle points or other horizontal control along the outside boundary of the subdivision. Such permanent monuments shall be set following the final grading and utility installation for each development phase or section of the subdivision. The permanent monuments shall be presented complete and correct in location at the time of subdivision acceptance.
- C. LOT MONUMENTS.** The subdivider shall have set under the supervision of a registered land surveyor appropriate permanent monuments at all lot corners. Such permanent monuments shall be set prior to the issuance of an improvement location permit for any building, structure or improvement on the lot. It shall be the responsibility of the applicant for the improvement location permit to maintain or replace, under the supervision of a state registered land surveyor, the permanent monuments located at all lot corners that may be damaged during construction.

ARTICLE 3.6. DRAINAGE

A. GENERAL DRAINAGE REQUIREMENTS.

1. The Plan Commission shall not approve any subdivision which does not make adequate provision for storm or flood water runoff channels or basins.
2. The storm water drainage system shall be separate and independent of any sanitary sewer system.
3. Storm sewers, where required, shall be designed by the rational method, or other methods as approved by the Town Engineer, and a copy of the design computations shall be submitted along with the construction plans.
4. Inlets shall be provided so that surface water is not carried across or around any intersection, nor for a distance of greater than 400 feet on local streets, 300 feet on collector streets, and as indicated by approved calculations submitted to the Town Engineer based upon a tenyear design storm and maximum spread as provided by the Town Engineer on arterial streets. Additional inlets shall be required when encroachment of storm water into the street disrupts traffic under the tenyear design storm.
5. The subdivider shall provide a grading plan at a maximum scale of one inch = 60 feet showing surface water drainage patterns on each lot and street.
6. The subdivider shall provide storm water conveyance facilities in accordance with the town standards, Ord. 17-97, "Drainage and Erosion Control Ordinance" as codified in §§ [54.01](#) through [54.15](#) of this code of ordinances, and the *Storm Water Drainage Manual* by Christopher B. Burke, Highway Extension and Research Project for Indiana Counties and Cities, School of Engineering, Purdue University, West Lafayette, Indiana.

B. NATURE OF STORM WATER FACILITIES.

1. *Location.*

- a. The subdivider may be required by the Plan Commission to carry away, by pipe or open ditch, any spring or surface water that may exist, either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way or in perpetual, unobstructed easements of appropriate width, and shall be constructed in accordance with the town construction standards and specifications.
 - b. Whenever a change of land use occurs, concentrated storm water discharge to adjacent areas shall not be permitted unless the discharge is conveyed through a suitable drainage feature to:
 - 1) An approved outlet within the right-of-way;
 - 2) An existing drainage easement;
 - 3) A defined drainageway as approved by the Town Engineer; or
 - 4) An open ditch which appears as a dashed or solid blue line on the 7.5 Minute Series Topographic Quadrangle Map as published by the United States Geological Survey.
 - c. The drainage feature used to convey the site discharge to the approved outlet shall be located in the right-of-way or easement of appropriate width.
2. *Public storm sewers.* With the exception of storm water conveyance along nonresidential local streets within the I-2, I-3 and I-4 Districts, all storm water conveyance within or parallel to and adjacent to the public right-of-way shall be fully contained in storm sewers with an adequate and approved outlet. Residential subdivisions containing lots of less than 15,000 square feet and nonresidential subdivisions shall be provided with storm sewers to convey all on-site drainage. However, on-site drainage swales with required conveyance capacity of less than five cubic feet per second under the ten year post-development design storm may be allowed.
 3. *Accommodation of upstream drainage areas.* A culvert, storm sewer, open ditch or other drainage facility shall, in each case, be large enough to convey potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The minimum conveyance provided for upstream, off-site drainage areas shall be the runoff resulting from the 100-year storm over the present state of upstream, off-site drainage areas. The conveyance provided for upstream waters may be decreased to the extent that hydrograph routing and detention on land controlled by the subdivider and dedicated to the town as a drainage easement allows for decreased capacity; provided, that the runoff resulting from the 100-year storm is staged less than one foot above the stage on the natural drainage way at the interface of the development with the upstream drainage area. Culvert capacities for conveyance under interior local, collector and arterial streets without roadway overtopping shall be the runoff resulting from the 25-year, 50-year and 100-year storms respectively over off-site areas in present state and on-site areas in post development state. Driveway culvert capacities shall be the capacities required for the street classification to which the driveway connects. Greater culvert capacity shall be required to protect the finished floor elevation of buildings from the post-development 100-year storm when, in the opinion of the design engineer or the Town Engineer, the finished floor elevation is threatened. It is recommended that drainage of loading docks or other building features which are proposed at an elevation lower than adjacent roadways be considered with respect to culvert drainage impacts.
 4. *Effect on downstream drainage areas.* The release rate of storm water from development, redevelopment and new construction shall not exceed the storm water runoff rate from the land in its present state of development.
 5. *Areas of poor drainage.* Areas which are not in the floodplain, but which contain soils subject to flooding, may be approved for subdivision by the Plan Commission, provided that the subdivider fills the affected areas of said subdivision to an elevation sufficient to place building sites and streets two feet above the ponding levels.

6. *Areas of high seasonal water tables.* In areas characterized by soils having a high seasonal water table as determined by the County Soil and Water Conservation District, lots shall be limited to slab type construction unless the Plan Commission determines that appropriate engineering techniques will be applied to alleviate the subsurface problem.
7. *Special flood hazard areas.* If any portion of a proposed subdivision lies within the floodplain, the subdivision shall comply with Ord. 25-2009, "Management of the Floodplain and Other Areas of Special Flood Hazard of the Town of Plainfield".

C. DEDICATION OF DRAINAGE EASEMENTS.

1. *General requirements.*
 - a. When a subdivision is traversed by a watercourse, drainageway, channel or stream, a storm water easement or drainage right-of-way shall be provided granting or dedicating to the town said area in an amount conforming substantially to the lines of such watercourse, and of such width and construction as will be adequate for the purpose of accommodating drainage and providing for the maintenance of the right-of-way.
 - b. Wherever possible, it is desirable that the drainage be maintained as an open channel with landscaped banks and adequate width for maximum potential volume of flow.
 - c. All storm water easements and drainage rights-of-way which are to be dedicated to the town on the secondary plat shall use the following language: "All storm water easements and drainage rights-of-way shown on this plat are hereby dedicated to the Town of Plainfield, Indiana".
2. *Drainage easements.*
 - a. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within street rights-of-way, perpetual, unobstructed easements for drainage facilities measuring at least 15 feet in width shall be provided across property outside of street right-of-way lines. All drainage easements shall provide access to a public street. Drainage easements shall extend from the street to a natural watercourse or to other drainage facilities.
 - b. The subdivider shall dedicate, either in fee or by drainage or conservation easement to the town, land on both sides of existing watercourses of a width to be determined by the Plan Commission and, in the case of legal drains, by the County Drainage Board.
 - c. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights satisfactory to the Plan Commission shall have been secured and indicated on the secondary plat.
 - d. Low-lying land along watercourses subject to flooding or overflowing during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be counted in satisfying the minimum yard or lot area requirement of the Town Zoning Ordinance.
 - e. All drainage easements shall be indicated on the secondary plat and which are to be dedicated to the town shall use the following language: "All drainage easements shown on this plat are hereby dedicated to the Town of Plainfield, Indiana".

- D. CONNECTION TO TOWN DRAINAGE UTILITIES.** Whenever practical, all subdivisions within the town shall connect to drainage utilities provided by the town. In those instances where the Plan Commission determines that connection to town drainage utilities would pose an unusual or unnecessary hardship at the time of development, the Plan Commission may make a recommendation to the Town Council to approve a connection to another public or semi-public drainage utility, provided, however, that all drainage facilities are installed to town standards or alternative standards approved by the Town Engineer, and, provision is made in

the design and layout of the drainage facilities for connection to the town drainage utilities at such time as the town extends drainage utility facilities to the subdivision.

E. MAINTENANCE RESPONSIBILITY FOR DETENTION/RETENTION FACILITIES.

1. The subdivider shall be responsible for the maintenance of all detention and retention facilities during construction. After construction, the owner of the real estate shall be responsible for the maintenance of all detention and retention facilities.
2. Assignment of the responsibility for maintaining a detention or retention facility which serves more than one lot or land holding shall be permitted only where:
 - a. Such assignment of maintenance responsibility for the detention or retention facilities has been documented by properly executed and recorded covenants or deed restrictions; or
 - b. A public body is informed of the desire to have public maintenance of the detention or retention facilities at the time of filing for primary plat approval, the final drainage plans are approved by such public body prior to construction, and the public body formally accepts the maintenance responsibility for the detention or retention facilities.

ARTICLE 3.7. WATER FACILITIES

A. GENERAL REQUIREMENTS.

1. The subdivider shall take all actions necessary to extend or create a water supply system capable of providing for domestic water use and fire protection.
2. All mainline water mains, whether public or private, shall be a minimum of eight inches in diameter, provided, however, a dead-end mainline water main serving a permanent residential cul-de-sac street which is less than 400 feet in length and which serves no more than 12 equivalent dwelling units may be six inches in diameter.
3. Water capacity allocations shall be approved by the Town Council.
4. The location of all fire hydrants, water supply improvements and boundary lines of proposed districts indicating all improvements proposed to be served, shall be shown on the primary plat and the cost of installing all fire hydrants and water supply improvements shall be included in the performance bond furnished by the subdivider.
5. Fire hydrants with isolation valves shall be provided along all water mains at a spacing of every 350 feet to 450 feet. Actual spacing shall be determined by the Town Engineer, Superintendent of Public Works for the town and Town Fire Chief based upon the land use being served and the physical characteristics of the land and buildings served.
6. All water easements which are to be dedicated to the town on the secondary plat shall use the following language: "All water easements shown on this plat are hereby dedicated to the Town of Plainfield, Indiana".
7. The subdivider shall provide water facilities in accordance with the standards set forth in the town standards, Ord. 19-97, "Water Use Ordinance", as codified in §§ [55.01](#) through [55.16](#) of this code of ordinances, and the Great Lakes-Upper Mississippi River Board of State Public Health and Environmental Managers, *Recommended Standards for Water Facilities*. The design shall be approved by the appropriate town, local, state and federal agencies where required by those agencies.

B. INDIVIDUAL WELLS AND CENTRAL WATER SYSTEM.

1. In the AG, RR and R-1 Districts, if a public water system is not available, the Plan Commission, in its discretion, may approve the use of individual wells or a central water system provided in such a manner that an adequate supply of potable water will be

available to every lot in the subdivision. Water sample test results shall be submitted to the County Health Department for approval.

2. All individual wells and central water systems shall be approved by the County Health Department or the Indiana State Board of Health prior to the issuance of an improvement location permit for any building or structure on a lot.
3. In those instances where the Plan Commission determines that connection to town water facilities would pose an unusual or unnecessary hardship at the time of development, the Plan Commission may make a recommendation to the Town Council to approve a connection to another public or semi-public water utility, provided, however, that such water facilities are installed to town standards or alternative standards approved by the Town Engineer, and provision is made in the design and layout of the water facilities for connection to the town water facilities at such time as the town extends public water facilities to the subdivision.
4. The minimum standard for fire protection for residential areas served by either individual wells or central water systems shall be 500 gallons per minute in excess of the design maximum hourly flow at 20 pounds per square inch at grade level at all points in the distribution system. A separate fire protection main served by untreated surface water or ground water will be considered. Fire hydrants shall not be installed on water mains which are not capable of delivering the flow and pressure specified by this division (4).

ARTICLE 3.8. SEWAGE FACILITIES

A. GENERAL REQUIREMENTS.

1. Sanitary sewers shall be located within street or alley right-of-ways or in perpetual, unobstructed easements. When sanitary sewer facilities are located in easements, access easements to all manholes shall be provided. Whenever sewer lines in private easements cross a public street or alley right-of-way, a manhole shall be provided in such public right-of-way.
2. A minimum horizontal distance of ten feet shall be maintained between parallel water lines and sewer lines. Perpendicular or angled crossings of water and sewer lines shall generally be at a spacing of not less than 18 inches. If the minimum spacing cannot be met, special design details (such as encasement in sleeves) may be approved by the Town Engineer and the Superintendent of Public Works for the town.
3. Sanitary sewer capacity allocations shall be approved by the Town Council.
4. All sanitary sewer easements which are to be dedicated to the town on the secondary plat shall use the following language: "All sanitary sewer easements shown on this plat are hereby dedicated to the Town of Plainfield, Indiana".
5. The subdivider shall provide sanitary sewer facilities in accordance with the town standards, Ord. 3-86, "Sewer Use Ordinance", as codified in §§ 51.01 through 51.16 of this code of ordinances, and the Great Lakes-Upper Mississippi River Board of State Public Health and Environmental Managers, *Recommended Standards for Wastewater Facilities*. The design shall be approved by the appropriate town, local, state and federal agencies where required by those agencies.

B. INDIVIDUAL DISPOSAL SYSTEM REQUIREMENTS.

1. In the AG, RR and R-1 Districts, if a public or semi-public sewer system is not available, the Plan Commission, in its discretion, may approve the use of individual disposal systems for each lot.
2. An individual disposal system shall be approved by the County Health Department prior to the issuance of an improvement location permit for any building or structure on a lot.

C. CONNECTION TO TOWN SANITARY SEWER SYSTEM.

1. Sanitary sewer facilities whenever practical, shall connect to a public sanitary sewer facility provided by the town. In those instances where the Plan Commission determines that connection to town sewer facilities would pose an unusual or unnecessary hardship at the time of development, the Plan Commission may make a recommendation to the Town Council to approve a connection to another public or semi-public sewer utility, provided, however, that the sewer facilities are installed to town standards or alternative standards approved by the Town Engineer, and provision is made in the design and layout of the sewer facilities for connection to the town sewer facilities at such time as the town extends public sewer facilities to the subdivision.
2. All semi-public sanitary sewer systems shall be approved by the County Health Department or the Indiana State Board of Health prior to the issuance of an improvement location permit for any building or structure on a lot.

ARTICLE 3.9. UTILITIES**A. UNDERGROUND UTILITY LOCATION REQUIRED.**

1. All new utility facilities, including, but not limited to, gas, electric, telephone, and cable television shall be located underground throughout the subdivision. Whenever practical, existing utility facilities which are located above ground, except when existing in public street rights-of-way, shall be removed and placed underground. All utility facilities existing and proposed throughout the subdivision shall be shown on the plans submitted for primary plat approval.
2. Underground service connections at the street property line shall be provided to each platted lot by the subdivider. At the discretion of the Plan Commission, the requirement for individual service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

B. UTILITY EASEMENTS.

1. As a general rule, utility easements shall be located along all rear lot lines and those side lot lines reasonably necessary to provide access to the utilities for maintenance and repair. Such combined utility easements shall provide an aggregate easement width of 20 feet, unless an alternative size is required by the Town Engineer or the applicable utility provider.
2. Utility easements located along a street right-of-way shall have a minimum width of 20 feet, provided, however, the first five feet of such utility easement measured from the street right-of-way shall be reserved exclusively for use as a town utility easement for sewer and water.

ARTICLE 3.10. PUBLIC SITES**3.10 PUBLIC SITES.**

- A. All plats submitted under the provisions of this ordinance may, subject to Plan Commission approval, allocate adequate areas for park, school, recreational or other public and semi-public sites, wherever necessary in conformity with the Comprehensive Plan and as required by the Plan Commission. The location, shape, extent, orientation, use and access to such areas shall be appropriate for each location based upon existing and proposed site conditions as well as the needs of the proposed subdivision. Such areas shall be made available by one of the following methods:
 1. Dedication for public use;

2. Reservation for use by the owners of land contained in the subdivision by deed restriction or covenant which shall specify how and under what circumstances the area or areas shall be used, developed and maintained;
 3. Reservation for acquisition by a governmental unit or agency, provided, however, such area shall become available for private use if after the expiration of a period of one year from the date of recording the secondary plat:
 - a. No governmental unit or agency proceeds with such acquisition within such one-year period; or
 - b. The appropriate governmental unit releases such area from reservation and, the secondary plat indicated the nature and extent of the private use into which such area may be placed if such area is not used by a governmental unit as specified.
- B.** Any area so reserved on the secondary plat, shall be clearly marked on the plat as “Reserved for _____ Purposes”.

ARTICLE 4. WAIVERS

4.1 GENERAL. The Plan Commission may grant waivers to the requirements, standards and specifications of this ordinance as set forth below.

4.2 WAIVERS OF SUBDIVISION CONTROL ORDINANCE REGULATIONS. Where the Plan Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes and intent of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to the standards and specifications set forth in this ordinance so that substantial justice may be done and the public interest served, provided that such waivers shall not have the effect of nullifying the intent and purpose of this ordinance.

4.3 WAIVER GUIDELINES. The Plan Commission shall not approve waivers unless it shall make written findings based upon the evidence presented to it in each specific case that:

- A.** The granting of the waiver will not be detrimental to the public safety, health or welfare, or injurious to other property;
- B.** The conditions upon which the request for a waiver is based are unique to the property for which a waiver is sought and are not applicable generally to other property;
- C.** 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 these regulations are carried out;
- D.** The waiver will not contravene the provisions of the Town Zoning Ordinance or the Comprehensive Plan; and
- E.** Where the waiver impacts on the design, construction or maintenance obligations of public facilities, that the appropriate public agency has reviewed and approved the proposed development in writing to the Plan Commission.

4.4 PROCEDURES FOR REVIEW OF WAIVER REQUESTS. At the time of filing a petition for primary plat approval for consideration by the Plan Commission, the petitioner shall submit a detailed written statement of all waivers of this ordinance sought which shall fully state the grounds for the request and file proposed detailed written findings of fact in support of such waiver request. Only those standards and specifications specifically described in the request may be waived by the Plan Commission.

4.5 JURISDICTION OF WAIVERS.

1. It is not within the powers or jurisdiction of the Board of Zoning Appeals to grant waivers of any of the regulations of this ordinance. Only the Plan Commission shall have the authority to waive any of the regulations in this ordinance.
2. It is not within the powers or jurisdiction of the Plan Commission to grant a variance of use, a variance of development standards, or to approve a special exception use. Only the Board of Zoning Appeals shall have the authority to grant a variance of use, a variance of development standards, or to approve a special exception use.

ARTICLE V. VACATION OF LAND IN A PLAT

- A. 5.1 JURISDICTION.** Pursuant to I.C. 36-7-3 et seq., the Plan Commission has jurisdiction to vacate all or part of a plat pertaining to land owned by the petitioner while the Town Council has jurisdiction to vacate a public way, public place or a platted easement.
- B. 5.2 APPROVAL OF A VACATION OF LAND IN A PLAT BY THE PLAN COMMISSION.** After a public hearing, the Plan Commission may approve a petition for the vacation of all or part of a plat. The Plan Commission may impose reasonable conditions as part of the approval. The Plan Commission shall make written findings of fact that set forth the reasons for the approval of the petition. The findings of fact shall be signed by the President of the Plan Commission. A copy of the findings of fact shall be retained as a part of the permanent record of the determination.
- C. 5.3 DISAPPROVAL OF A VACATION OF LAND IN A PLAT.** After a public hearing, the Plan Commission may disapprove a petition for the vacation of all or part of a plat. The Plan Commission shall make written findings of fact that set forth the reasons for the disapproval of the petition. The findings of fact shall be signed by the President of the Plan Commission. A copy of the findings of fact shall be retained as a part of the permanent record of the determination.
- D. 5.4 APPEALS.** The approval, disapproval or imposition of a condition on the approval of the vacation of all or part of a plat is a final decision of the Plan Commission. The petitioner or an aggrieved party may seek review of the decision of the Plan Commission as provided by I.C. 36-7-4-1016.

;

FORM A: PERFORMANCE BOND.

PERFORMANCE BOND FOR SUBDIVISION IMPROVEMENTS

This Performance Bond (the "Bond"), is hereby presented by (Name of Subdivider), (the "Principal"), and (Name of Bonding Company), (the "Surety Company") to the Town of Plainfield Plan Commission (the "Plan Commission") this _____ day of _____, _____, to induce the President and Secretary of the Plan Commission to sign the secondary plat of a subdivision to be known as (Name of Subdivision and Section #, if applicable) (the "Subdivision").

WHEREAS, Principal has petitioned for and conditionally received primary plat approval by the Plan Commission under Docket No. _____ for the Subdivision; and

WHEREAS, the installation of improvements required by the Town of Plainfield Subdivision Control Ordinance (Plainfield Ordinance No. 21-97) (the "Subdivision Control Ordinance") and the installation of improvements required the Plan Commission as a condition of approval of the primary plat have not been completed, constructed, and installed as required by the Subdivision Control Ordinance and the Plan Commission; and

WHEREAS, Surety Company has pledged surety for the actions of the Principal related to the completion, construction and installation of the improvements required by the Subdivision Control Ordinance and the Plan Commission; and

WHEREAS, Surety Company and Principal agree that the covenants contained herein shall (i) run with the land and (ii) jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Town of Plainfield, Hendricks County, Indiana (the "Town"), and the Plan Commission, jointly and severally, for the completion, construction and installation of the improvements required by the Subdivision Control Ordinance and the Plan Commission.

NOW, THEREFORE, Principal agrees to the following obligations for the completion, construction and installation of the improvements, installations and lot improvements related to the development of the Subdivision:

1. Principal shall construct, install and complete the following required improvements, installations, and lot improvements for the Subdivision in compliance with all requirements, standards and specifications of the Subdivision Control Ordinance and other applicable Ordinances of the Town within two (2) years from the date on which the President and Secretary of the Plan Commission sign and certify the secondary plat.

(Check all items covered by this Bond):

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>		<input type="checkbox"/>	

2. Principal shall also construct, install and complete the following improvements as required by the Plan Commission within _____ () years from the date on which the President and Secretary of the Plan Commission sign and certify the secondary plat:

- a. _____;
- b. _____;
- c. _____.

3. Principal shall construct, install and complete the following required improvements, installations, and lot improvements for the Subdivision in compliance with all requirements, standards and specifications of the Subdivision Control Ordinance and other applicable Ordinances of the Town.

a. for single family or two family Subdivisions, prior to the time that single family or two family dwellings are upon ninety (90) percent of the lots shown upon the secondary plat or within three (3) years after the date on which the President and Secretary sign and certify the secondary plat, whichever occurs first, or

b. for multifamily, commercial or industrial Subdivisions, within three (3) years after the date on which the President and Secretary sign and certify the Secondary Plat.

(Check all items covered by this Bond):

<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	fencing
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>	street signs	<input type="checkbox"/>	

4. Principal shall, upon completion of the improvements, installations and lot improvements identified in paragraphs one (1.), two (2.) and three (3.) above, but prior to acceptance thereof for public maintenance by the Town, provide a three (3) year maintenance bond in the amount of ten (10) percent of this bond.

Upon receipt by the Surety Company of written notice from the Director of the Department of Planning and Zoning (the "Director") of the Town stating that the Principal has failed to complete, construct and install the improvements, installations and lot improvements required by the Subdivision Control Ordinance and the Plan Commission, the Surety Company shall, at the option and direction of the Town, promptly and at the Surety Company's expense take one of the following actions:

5. Arrange for the Principal, with consent of the Town, to perform and complete the construction and installation of the improvements, installations and lot improvements required by the Subdivision Control Ordinance and the Plan Commission;

6. Undertake to perform and complete the construction and installation of the improvements, installations and lot improvements required by the Subdivision Control Ordinance and the Plan Commission; or

7. Make payment to the Town in the amount to be incurred by the Town to complete the construction and installation of the improvements, installations and lot improvements required by the Subdivision Control Ordinance and the Plan Commission, and the amount of this Bond shall be credited for any payments made in good faith by the Surety Company, provided that the Surety Company's obligations under this paragraph three (3.) shall not exceed (written dollar amount of bond) dollars, (\$ _____), in the aggregate.

If Surety Company does not proceed as provided for above with reasonable promptness, but in all events within thirty (30) days, the Surety Company shall be deemed to be in default on this Bond fifteen (15) days after receipt of an additional written notice from the Director to the Surety Company demanding that the Surety Company perform its obligations under this Bond, and the Town shall be entitled to enforce any remedy available to the Town.

Upon compliance with the terms and provisions of this Bond and the execution of a written Release of Performance Bond by the Director, this Bond shall become null and void.

IN WITNESS WHEREOF, the undersigned have executed this instrument this _____ day of _____, _____.

(Principal)

(Surety Company)

By: _____ By: _____
Signature Signature

Printed: _____ Printed: _____

Title: _____ Title: _____

Notice Address: _____ Notice Address: _____

TOWN OF PLAINFIELD

Approved this _____ day of _____, _____.

By: _____

Printed: _____

Director, Department of Planning and Zoning
Town of Plainfield, Hendricks County, Indiana

FORM B: IRREVOCABLE LETTER OF CREDIT.

IRREVOCABLE LETTER OF CREDIT FOR SUBDIVISION IMPROVEMENTS

(Name of Bank or Agency) hereby establishes our Irrevocable Letter of Credit No. _____ in favor of the Town of Plainfield, at the request and for the account of (Name of Subdivider), for any sum or sums

not exceeding *(amount of credit)* dollars, (\$ _____), available upon presentation by the Director of the Department of Planning and Zoning of the Town of Plainfield, or any employee acting under the Director's authority, of a letter signed by the President of the Town of Plainfield Plan Commission (the "Plan Commission") enumerating any and all improvements, installations, and lot improvements (the "Improvements") not completed as required by the Town of Plainfield Subdivision Control Ordinance (Plainfield Ordinance No. 21-97) and the Plan Commission for the subdivision known as *(Name of Subdivision and Section #, if applicable)* (the "Subdivision"), Plan Commission Docket No. _____. The President's letter shall indicate the estimated cost for completing the Improvements.

This Letter of Credit shall be applicable to the following Improvements (*Check all items covered by this Letter*):

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	fencing
<input type="checkbox"/>		<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	

The drafts drawn under this Letter of Credit must state "Drawn under Letter of Credit No. ____ of *(Name of Subdivider)*, dated the _____ day of _____, _____". The amounts of the drafts must be noted on the back of this Letter of Credit by the *(Name of Bank or Agency)*.

This Letter of Credit is effective as of _____ day of the _____, _____, and shall expire on the _____ day of _____, _____, provided, however, such expiration date shall be automatically extended for successive periods of one (1) year, unless: (i) a Release of Credit is received from the Director of the Department of Planning and Zoning of the Town of Plainfield; or (ii) *(Name of Bank or Agency)*, by certified mail, return receipt requested, notifies both the Director of the Department of Planning and Zoning of the Town of Plainfield and *(Name of Subdivider)* at least ninety (90) days before the current expiration date, that *(Name of Bank or Agency)* has decided not to extend this Letter of Credit beyond the current expiration date. In the event of such notification by *(Name of Bank or Agency)*, the credit established by this Letter of Credit shall be available to the Town of Plainfield upon its sight draft or demand for payment for ninety (90) days after receipt of such notice by the Town of Plainfield, as shown on the signed returned receipt.

The credit established by this Letter of Credit and the obligation to pay the same shall not be affected by the receivership, bankruptcy or insolvency of *(Name of Subdivider)* or the attachment of his/her property. Nor shall this credit and the obligation to pay the same be affected by any security agreement between *(Name of Subdivider)* and *(Name of Bank or Agency)*.

Whenever this Letter of Credit is drawn on under and in compliance with the terms of this Letter of Credit, *(Name of Bank or Agency)* shall pay the amount of the draft directly to the Plan Commission or in accordance with the instructions of the Plan Commission.

(Name of Bank or Agency)

By: _____

Signature

Printed: _____

Title: _____

Date: _____

FORM C: MAINTENANCE BOND.

MAINTENANCE BOND FOR SUBDIVISION IMPROVEMENTS

This Maintenance Bond (the "Bond"), is hereby presented by (Name of Subdivider), (the "Principal"), and (Name of Bonding Company), (the "Surety Company") to the Town of Plainfield, Hendricks County, Indiana (the "Town") this _____ day of _____, _____, to induce the Town to accept for public maintenance certain improvements, installations, and lot improvements within the subdivision known as (Name of Subdivision and Section #, if applicable) (the "Subdivision").

WHEREAS, Principal has installed certain improvements, installations, and lot improvements within the Subdivision, but the following improvements, installations, and lot improvements have not been accepted for public maintenance *(Check all items covered by this Bond)*:

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	sidewalks	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	fencing
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	; and

WHEREAS, Surety Company has pledged surety for the any maintenance actions required of the Principal related to said improvements, installations, and lot improvements; and

WHEREAS, Surety Company and Principal jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Town and the Town of Plainfield Plan Commission (the "Plan Commission"), jointly and severally, for the maintenance of the above-listed improvements required by the Town of Plainfield Subdivision Control Ordinance (Plainfield Ordinance No. 21-97) (the "Subdivision Control Ordinance") and the Plan Commission, and agree to be held and firmly bound unto the Town and the Plan Commission.

WHEREAS, Principal certifies that all improvements, installations, and lot improvements within the Subdivision have been completed in accordance with the requirements, standards and specifications of the Subdivision Control Ordinance, other applicable Ordinances of the Town, and the construction plans for the Subdivision as approved by the Town.

NOW, THEREFORE, Principal:

1. Warrants the workmanship and materials used in the construction, installation and completion of said improvements, installations, and lot improvements to be of good quality and constructed and completed in a workmanlike manner in accordance with the requirements, standards and specifications of the Subdivision Control Ordinance, other applicable Ordinances of the Town, and the construction plans for said improvements, installations, and lot improvements as approved by the Town; and

2. Agrees to maintain said improvements, installations, and lot improvements, at Principal's own expense, for a period of three (3) years after the date on which said improvements, installations, and lot improvements are accepted for public maintenance by the Town, and shall make all repairs thereto which may become necessary by reason of improper workmanship or materials. This maintenance obligation shall not include any damage to said improvements, installations, and lot improvements which results from forces or circumstances beyond the control of the Principal or occasioned by the inadequacy of the standards, specifications and requirements of the Subdivision Control Ordinance or other applicable Ordinances of the Town.

Upon receipt by the Surety Company of written notice from the Director of the Department of Planning and Zoning (the "Director") of the Town stating that the Principal has failed to maintain said improvements, installations, and lot improvements as required by the Subdivision Control Ordinance, the Plan Commission and this Bond, the Surety Company shall, at the option and direction of the Town, promptly and at the Surety Company's expense take one of the following actions:

- 3. Arrange for the Principal, with consent of the Town, to maintain the improvements, installations and lot improvements as required by the Subdivision Control Ordinance, the Plan Commission and this Bond;
- 4. Undertake to maintain the improvements, installations and lot improvements as required by the Subdivision Control Ordinance, the Plan Commission and this Bond; or
- 5. Make payment to the Town in the amount to be incurred by the Town to maintain the improvements, installations and lot improvements as required by the Subdivision Control Ordinance, the Plan Commission and this Bond, and the amount of this Bond shall be credited for any payments made in good faith by the Surety Company, provided that the Surety Company's obligations under this paragraph shall not to exceed (*written dollar amount of bond*) dollars, (\$ _____), in the aggregate.

If Surety Company does not proceed as provided for above with reasonable promptness, but in all events within thirty (30) days, the Surety Company shall be deemed to be in default on this Bond fifteen (15) days after receipt of an additional written notice from the Director to the Surety Company demanding that the Surety Company perform its obligations under this Bond, and the Town shall be entitled to enforce any remedy available to the Town.

Upon compliance with the terms and provisions of this Bond and the execution of a written Release of Maintenance Bond by the Director, the obligations contained herein shall become null and void.

IN WITNESS WHEREOF, the undersigned have executed this instrument this _____ day of _____, _____.

<u>(Principal)</u>	<u>(Surety Company)</u>
By: _____	By: _____
Signature	Signature
Printed: _____	Printed: _____
Title: _____	Title: _____
Notice Address: _____	Notice Address: _____

TOWN OF PLAINFIELD

Approved this _____ day of _____, _____.

By: _____

Printed: _____

Director, Department of Planning and Zoning

Town of Plainfield, Hendricks County, Indiana

FORM D: RELEASE OF PERFORMANCE BOND.

RELEASE OF PERFORMANCE BOND

This Release of Performance Bond (the "Release") is hereby presented by the Director of the Town of Plainfield to (*Name of Subdivider*), (the "Principal"), and (*Name of Bonding Company*), (the "Surety Company") as of this _____ day of _____, _____.

WHEREAS, Principal and Surety Company have posted a Performance Bond for the improvements, installations and lot improvements (the "Improvements") required by the Town of Plainfield Subdivision Control Ordinance (the "Subdivision Control Ordinance"), other applicable Ordinances of the Town of

Plainfield, and the Town of Plainfield Plan Commission (the "Plan Commission") for the subdivision known as (Name of Subdivision and Section #, if applicable) (the "Subdivision"); and

WHEREAS, the Town of Plainfield has received an Letter of Compliance from the responsible design professional representing that all Improvements have been constructed and installed in compliance with all requirements, standards and specifications of the Subdivision Control Ordinance, other applicable Ordinances of the Town of Plainfield and the Plan Commission *(Check all items to be covered by this Release)*:

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	fencing
<input type="checkbox"/>		<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	;and

WHEREAS, the Town of Plainfield has issued a Completion Letter indicating that the Town of Plainfield has accepted the above indicated Improvements for maintenance.

NOW, THEREFORE, the Performance Bond issued for the above indicated Improvements is hereby released.

TOWN OF PLAINFIELD

By: _____

Printed: _____

Director, Department of Planning and Zoning

Town of Plainfield, Hendricks County, Indiana

FORM E: RELEASE OF IRREVOCABLE LETTER OF CREDIT.

RELEASE OF IRREVOCABLE LETTER OF CREDIT

This Release of Irrevocable Letter of Credit (the "Release") is hereby presented by the Director of the Town of Plainfield to (Name of Subdivider), (the "Principal"), and (Name of Bank or Agency), (the "Surety Company") as of this _____ day of _____, _____.

WHEREAS, Principal and Surety Company have posted an Irrevocable Letter of Credit, Letter of Credit No _____, in favor of the Town of Plainfield as surety for the improvements, installations and lot improvements (the "Improvements") required by the Town of Plainfield Subdivision Control Ordinance (the "Subdivision Control Ordinance"), other applicable Ordinances of the Town of Plainfield, and the Town of Plainfield Plan Commission (the "Plan Commission") for the subdivision known as (Name of Subdivision and Section #, if applicable) (the "Subdivision"); and

WHEREAS, the Town of Plainfield has received an Letter of Compliance from the responsible design professional representing that all Improvements have been constructed and installed in compliance with all requirements, standards and specifications of the Subdivision Control Ordinance, other applicable Ordinances of the Town of Plainfield and the Plan Commission *(Check all items to be covered by this Release)*:

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system

<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	fencing
<input type="checkbox"/>		<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	

WHEREAS, the Town of Plainfield has issued a Completion Letter indicating that the Town of Plainfield has accepted the above indicated Improvements for maintenance.

NOW, THEREFORE, the Irrevocable Letter of Credit issued for the above indicated Improvements is hereby released.

TOWN OF PLAINFIELD

By: _____

Printed: _____

Director, Department of Planning and Zoning
 Town of Plainfield, Hendricks County, Indiana

FORM F: RELEASE OF MAINTENANCE BOND.

RELEASE OF MAINTENANCE BOND

This Release of Maintenance Bond (the "Release") is hereby presented by the Director of the Town of Plainfield to *(Name of Subdivider)*, (the "Principal"), and *(Name of Bonding Company)*, (the "Surety Company") as of this _____ day of _____, _____.

WHEREAS, Principal and Surety Company have posted a Maintenance Bond for the maintenance of improvements, installations and lot improvements (the "Improvements") required by the Town of Plainfield Subdivision Control Ordinance (the "Subdivision Control Ordinance"), other applicable Ordinances of the Town of Plainfield, and the Town of Plainfield Plan Commission (the "Plan Commission") for the subdivision known as *(Name of Subdivision and Section #, if applicable)* (the "Subdivision"); and

WHEREAS, the Bond is applicable to the following Improvements *(Check all items to be covered by this Release)*:

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	sidewalks	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	fencing
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	; and

WHEREAS, the Improvements have been maintained at Principal's own expense for a period of three (3) years after the date on which said Improvements were accepted for public maintenance by the Town of Plainfield.

NOW, THEREFORE, the Maintenance Bond issued for the above indicated Improvements is hereby released.

TOWN OF PLAINFIELD

By: _____

Printed: _____

Director, Department of Planning and Zoning
 Town of Plainfield, Hendricks County, Indiana

FORM G: LETTER OF COMPLIANCE.

LETTER OF COMPLIANCE

The undersigned, being the Subdivider and Contractor responsible for the construction of certain improvements, installations and lot improvements (the "Improvements") for the subdivision known as *(Name of Subdivision and Section #, if applicable)* (the "Subdivision"), hereby state that the following Improvements, to the best of their knowledge and belief, have been constructed and installed in compliance with all requirements, standards and specifications of the Town of Plainfield Subdivision Control Ordinance, other applicable Ordinances of the Town of Plainfield, and the requirements of the Town of Plainfield Plan Commission *(Check all items covered by this Letter of Compliance)*:

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	sidewalks	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	fencing
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	

The undersigned intends that the statements made herein shall be construed as a representation made for the purpose of inducing the Town of Plainfield to accept the Improvements for public maintenance and to release *(Name of Subdivider)*, from the obligations of the Performance Bond for Subdivision Improvements applicable to the Improvements required for the Subdivision. The undersigned expressly authorize the Town of Plainfield and all other persons to rely on such representations.

NAME OF SUBDIVIDER

NAME OF CONTRACTOR

Signature: _____

Signature: _____

Printed: _____

Printed: _____

Title: _____

Title: _____

Date: _____

Date: _____

FOR TOWN USE ONLY:

Inspections of the Improvements described above were conducted on a periodic basis and at all critical points in the constructions process. All Improvements were found to be in compliance with all requirements, standards and specifications of the Subdivision Control Ordinance, other ordinances of the Town of Plainfield and the requirements of the Town of Plainfield Plan Commission.

TOWN INSPECTOR

Signature: _____

Printed: _____

Title: _____

Date: _____

FORM H: COMPLETION LETTER.

COMPLETION LETTER

This Completion Letter (the "Letter") is hereby presented by the Town of Plainfield to (Name of Subdivider), (the "Principal") this _____ day of _____, _____.

WHEREAS, the Town of Plainfield has received an Letter of Compliance from the Subdivider and responsible contractor representing that the following improvements, installations and lot improvements (the "Improvements") have been constructed and installed in the subdivision known as (Name of Subdivision and Section #, if applicable) (the "Subdivision") in compliance with all requirements, standards and specifications of the Town of Plainfield Subdivision Control Ordinance (the "Subdivision Control Ordinance"), other applicable Ordinances of the Town of Plainfield and the Town of Plainfield Plan Commission *(Check all items to be covered by this Letter)*:

<input type="checkbox"/>	street base	<input type="checkbox"/>	street binder
<input type="checkbox"/>	curbs	<input type="checkbox"/>	sanitary sewer
<input type="checkbox"/>	storm drainage	<input type="checkbox"/>	water system
<input type="checkbox"/>	street topcoat	<input type="checkbox"/>	street signs
<input type="checkbox"/>	sidewalks	<input type="checkbox"/>	monumentation
<input type="checkbox"/>	lot drainage	<input type="checkbox"/>	soil preservation
<input type="checkbox"/>	erosion control	<input type="checkbox"/>	fencing
<input type="checkbox"/>	debris and waste removal	<input type="checkbox"/>	final grading and lawn preparation
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	; and

NOW, THEREFORE, the Town of Plainfield accepts the Improvements for maintenance subject to the posting of a Maintenance Bond for the Improvements by the Principal as required by the Subdivision Control Ordinance.

TOWN OF PLAINFIELD

By: _____

Printed: _____

Title: _____

cc: Director, Department of Planning and Zoning, Town of Plainfield

FORM I: DEDICATION STATEMENT.

DEDICATION STATEMENT

NOTE: The following language shall be incorporated into all Plats presented for secondary plat Approval. Any underlined words in the following language indicates optional words to be used only in the appropriate situations. Any blanks (_____) used in the following language indicates information to be provided by the Subdivider or Surveyor.

I/We _____, do hereby certify that I/We am/are the Owner(s) of the real property located in the Town of Plainfield, Hendricks County, Indiana, according to deed recorded in Book _____, Page _____, of the official records of the Recorder of Hendricks County, Indiana, and further described as follows:

(Insert Legal Description of Real Property Here)

Now therefore know all persons by these presence that I/We do hereby lay off, plat and subdivide said Real Estate in accordance with the within Plat.

This Subdivision shall be known as _____, an addition to the Town of Plainfield, Hendricks County, Indiana.

All streets, alleys, ways and public open spaces shown on the within Plat not heretofore dedicated to the public are hereby dedicated to the Town of Plainfield for public use and maintenance, save and except for those streets, alleys, ways and open spaces specifically identified as private on the plat and approved by the Plan Commission to be privately owned, operated and maintained.

Front building setback lines are hereby established as shown on the within Plat, between which lines and street right-of-way lines no building or structure (except for parking areas, driveways and interior access drives) shall be erected or maintained.

All storm water, drainage, water, and sanitary sewer easements shown on this Plat are hereby dedicated to the Town of Plainfield, save and except for those storm water, drainage, water, and sanitary sewer easements specifically identified as private on the plat and approved by the Plan Commission to be privately owned, operated and maintained. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement area of each Lot shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility company to maintain.

Within drainage easements, no structure, planting or other material shall be placed or permitted to remain which may change the direction of flow or drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements. The drainage easement of each Lot and all improvements in the drainage easement, including slope and drainage pattern, shall be continuously maintained as a yard area by the Owner of the Lot, except for those improvements which are the responsibility of a public authority or utility to maintain.

The first five (5) feet of any utility easement which is located along a street right-of-way shall be reserved for use as a Town of Plainfield utility easement for sewer and water, and shall be used for the installation and maintenance of fire hydrants, meter pits, and similar appurtenances approved by the Town Engineer. All other utility companies shall have the right to cross the first five (5) feet of said utility easement at or near perpendicular. No other utilities or appurtenances thereto shall be installed within the first five (5) feet of said utility easement without the written approval of the Town Engineer.

Any private restrictive covenants, conditions or restrictions to run with the Subdivision shall be entered here.

The foregoing plat covenants shall run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from this day of , , at which time said plat covenants shall automatically be extended for successive periods of ten (10) years unless by vote of a majority of the then Owners of the building site covered by these plat covenants it is agreed to change such plat covenants in whole or in part.

Invalidation of any one of the foregoing plat covenants by judgement or court order shall in no way affect any of the other plat covenants which shall remain in full force and effect.

The right to enforce these covenants by injunction, together with the right to cause the removal by due process of law of any structure or part thereof erected or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several Owners of the several Lots in the Subdivision and to their heirs and assigns.

In Witness whereof, Owner has executed this instrument this _____ day of _____, _____.

(Name of Organization If Other Than an Individual(s))

Signature: _____

Printed: _____

Title: _____

(Individual Acknowledgment)

State of _____)

) ss:

County of _____)

Before me, a notary public in and for said County and State, personally appeared _____, Owner(s) of the Real Estate, who acknowledged the execution of the foregoing instrument and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and notarial seal this _____ day of _____, _____.

Signature: _____

Printed: _____

County of Residence _____

My Commission Expires _____

(Organization Acknowledgment)

State of _____)

) ss:

County of _____)

Before me, a notary public in and for said County and State, personally appeared _____, the _____ of _____, a(n) _____, Owner(s) of the Real Estate, who acknowledged the execution of the foregoing instrument in such capacity and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and notarial seal this _____ day of _____, _____.

Signature: _____

Printed: _____

County of Residence _____

My Commission Expires _____

FORM J: SURVEYOR CERTIFICATION.

SURVEYOR CERTIFICATION

NOTE: The following language shall be incorporated into all Plats presented for secondary plat Approval. Any underlined words in the following language indicates optional words to be used only in the appropriate situations. Any blanks (_____) used in the following language indicates information to be provided by the Surveyor.

I, _____, hereby certify that:

The within Plat is a representation of the lands surveyed, subdivided and platted under my direct supervision and control and that it is true and correct to the best of my knowledge and belief;

(Insert Legal Description of Real Estate Here)

This Subdivision consists of _____ Lots, numbered through , together with Common Areas, Streets, Easements and Public Ways as shown on the within Plat;

The size of the Lots, Common Areas and Widths of Streets and Easements is/are shown in figures denoting feet and decimal parts thereof;

All monuments shown on the within Plat actually exist and their location, size, type and material are accurately shown;

The boundary survey of this plat is in conformity with 865 I.A.C. 1-12; and

The within Plat complies with the provisions of the Plainfield Subdivision Control Ordinance.

Witness by signature this _____ day of _____, _____.

Signature

Printed: _____

Registered Land Surveyor - Indiana - # _____

FORM K: PLAN COMMISSION APPROVAL.

PLAN COMMISSION APPROVAL

The Director of the Department of Planning and Zoning has reviewed this Plat for technical conformity with the standards fixed in the Plainfield Zoning Ordinance and the Plainfield Subdivision Control Ordinance and hereby certifies that this Plat meets all of the minimum requirements of the applicable ordinances and requirements of the Town of Plainfield, Hendricks County, Indiana.

Printed: _____

Director, Department of Planning and Zoning

Date: _____

We, the undersigned, do hereby certify that under authority provided by the Indiana Planning Law, I.C. 36-7-4 et seq., enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, the Plat depicted herein is the Plat which was given approval by the Town of Plainfield Plan Commission at a meeting held on the _____ day of _____, _____.

Witness by signature this _____ day of _____, _____.

TOWN OF PLAINFIELD PLAN COMMISSION

Signature: _____ Signature: _____

Printed: _____ Printed: _____

Title: President Title: Secretary

FORM L: FINDINGS OF FACT.

Address: _____ File: _____

FINDINGS OF FACT

Petition for Vacation of Land in a Plat

The Plan Commission may approve/disapprove a petition for the vacation of all or part of a plat upon finding that:

1. The conditions in the platted area have/have not changed so as to defeat the original purpose of the plat because:
2. It is/is not in the public interest to vacate all or part of the plat because:

3. The value of that part of the land in the plat not owned by the Petitioner will/will not be diminished by vacation because:

PLAINFIELD PLAN COMMISSION

The VACATION is hereby Approved/Disapproved this _____ day
of _____, _20____.

President, Plainfield Plan Commission