



**CERTIFICATION TO THE  
TOWN COUNCIL  
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA**

December 18, 2019

To the Town Council of the Town of Zionsville, Indiana:

Be it advised that, pursuant to Indiana Code 36-7-4, on December 16, 2019 the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 5 in favor and 0 opposed, gave a Favorable Recommendation to proposal 2019-39-OA to amend the text of the Town of Zionsville Zoning Ordinance, applicable to all real property located in the Town of Zionsville, Boone County Indiana.

The proposal amends various Article within the Town of Zoning Ordinance sections including the following:

- a) 192.011 discrepancy between mapped floodplain and actual ground elevations
- b) 194.018 easement obstruction exceptions
- c) 194.020 clarify buffer yards
- d) 194.020 clarify code redirects
- e) 194.047 clarify side yards
- f) 194.078, 194.079 remove artifacting
- g) 194.082 clarify code redirects
- h) 194.095 clarify aggregate rules
- i) 194.109 adding landscape stone as acceptable alternative to mulch under certain conditions
- j) 194.128 clarify relevant commitments are actionable regardless of recordation
- k) 194.128 refine applicability of commitments
- l) 194.163 illuminated Ground Signs within 600 feet of any R for lighting restrictions
- m) 194.165 clarify code redirects
- n) 194.166 Subdivision Entrance "Feature"
- o) 194.164, 194.165 added projecting signage as a sign option in business and industrial districts, and
- p) 195.01 is proposed to include an amendment to Fee Schedule Requirements related to (platting / subdivision fees as they relate to major and minor plats, and clarify code redirects)

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2019-39-OA to amend the Town of Zionsville Zoning Ordinance (a copy of which is attached to this Certification and incorporated here by this reference) to the Town Council of Zionsville, Indiana, with a **Favorable Recommendation**.

**TOWN OF ZIONSVILLE  
ADVISORY PLAN COMMISSION**

\_\_\_\_\_  
David L. Franz, President

Attest: \_\_\_\_\_

**Wayne DeLong, AICP, CPM**  
Director of Planning and Economic Development  
Secretary, Town of Zionsville Advisory Plan Commission

**Exhibit A**

**ORDINANCE NO. 2020- 01**  
**OF THE**  
**TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND THE**  
**TOWN OF ZIONSVILLE**  
**ZONING ORDINANCE**  
**FORTHE**  
**TOWN OF ZIONSVILLE,**  
**BOONE COUNTY, INDIANA**

**AND FIXING A TIME WHEN THE SAME SHALL TAKE**  
**EFFECT**

**Plan Commission Petition No.**  
**2019-39-OA**

**WHEREAS**, I.C. § 36-7-4, et seq., empowers the Town of Zionsville Advisory Plan Commission, Boone County, Indiana, to hold public hearings and make recommendations to the Town Council of the Town of Zionsville, Boone County, Indiana, concerning ordinances for the zoning and districting of all lands within the incorporated areas of the Town of Zionsville, Boone County, Indiana: and;

**WHEREAS**, in accordance with I.C. 36-7-4-600 et seq., the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on December 16, 2019 to consider a proposal to amend the Town of Zionsville Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance"); filed as petition 2019-39-OA; and,

**WHEREAS**, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a favorable recommendation on December 16, 2019 (Exhibit A); and,

**WHEREAS**, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Proposal to amend the Ordinance at its regular meeting on January 6, 2020.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH I.C. 36 7-4-600 et.seq., AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:**

**Section 1.** The Zoning Ordinance for the Town of Zionsville Boone County, Indiana, is amended as follows: The proposal amends Sections:

- a) 192.011 discrepancy between mapped floodplain and actual ground elevations
- b) 194.018 easement obstruction exceptions
- c) 194.020 clarify buffer yards
- d) 194.020 clarify code redirects
- e) 194.047 clarify side yards

- f) 194.078, 194.079 remove artifacting
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- p) 195.01 is proposed to include an amendment to Fee Schedule Requirements related to (platting / subdivision fees as they relate to major and minor plats, and clarify code redirects)

**Section 2. Savings Clause:** If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

**Section 3. Construction of Clause Headings:** The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

**Section 4. Repeal of Conflicting Ordinances:** The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.





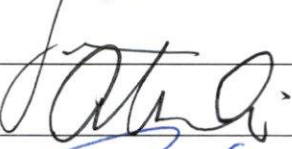


**Section 5. Severability:** If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

**Section 6. Duration and Effective Date:** The provisions of this Ordinance shall become and remain in full force and effect upon adoption and publication according to Indiana Law and until its repeal by ordinance.

Introduced and filed on the 16th day of December, 2019. A motion to consider on First Reading was sustained by a vote of 5 in favor and 0 opposed, pursuant to Indiana Code 36-5-2-9.8.

DULY PASSED AND ADOPTED this 6th day of January 2020, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

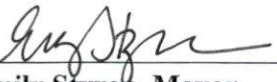
TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,  
BOONE COUNTY, INDIANA

	YEA Signature	NAY Signature
Josh Garrett, President		
Brian Traylor Vice-President		
<del>Elizabeth Hopper,</del> BRADRIK BURK Member		
Craig Melton, Member		
Jason Plunkett, Member		
<del>Kevin Speer,</del> Alex Choi Member		
<del>Susana Suarez,</del> Joe Cup Member		

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Emily Styron on the 7th day of January 2020, at 7:00 m.

ATTEST:   
Amy Lacy, Director, Department of Finance and Records

MAYOR'S  
APPROVAL

  
Emily Styron, Mayor

1/7/2020  
DATE

MAYOR'S  
VETO

\_\_\_\_\_  
Emily Styron, Mayor

\_\_\_\_\_  
DATE