

ORDINANCE NO. 09
OF THE TOWN OF
ZIONSVILLE, INDIANA

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

AND FIXING A TIME WHEN THE SAME SHALL TAKE
EFFECT

Plan Commission Petition No.
2022-19-Z

WHEREAS, LC. § 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 LC. 36-7-4-600 et seq. the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on May 16, 2022 to consider a proposal to amend the Town of Zionsville Zoning Map for the Town of Zionsville, Boone County, Indiana, (the “Map”) filed as petition 2022-19-Z (the “Petition”); and

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Map to the Town Council of the Town of Zionsville, Boone County, Indiana, with a unanimous (6-0) favorable recommendation on May 16, 2022 (Exhibit A); and

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Petition to amend the Map at its regular meeting on June 6, 2022.

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 Base Map for the Town of Zionsville Boone County, Indiana, is amended as follows:

- A. 40.00 +/- acres described in the Petition is rezoned from the Rural (AG) Agricultural to the Rural Light Industrial (I-1) District.

- B. The Zoning Administrator shall cause the Town's Zoning Base Map to be amended to reflect this change in zoning.

Section 2. Conditions and Commitments. The Petition and this rezoning is subject to the listed conditions and commitments attached hereto as Exhibit B.

Section 3. 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 4. 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.

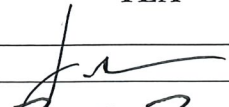
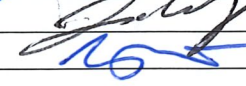
Section 5. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 6. 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 7. 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.

DULY PASSED AND ADOPTED this 6th day of June, 2022, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 6 in favor and 0 opposed.

**TOWN COUNCIL OF THE TOWN
OF ZIONSVILLE, BOONE COUNTY, INDIANA
(Signatures of Council Members)**

	YEA	NAY
Jason Plunkett, President		
Brad Burk, Vice-President		
Josh Garrett		
Alex Choi		
Joe Culp		
Craig Melton		
Bryan Traylor		

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville mayor Emily Styron on the 6th day of June, 2022 at 9:00 A.M./P.M.

ATTEST: 
Amy Lacy, Municipal Relations Coordinator

**MAYOR'S
APPROVAL**


Emily Styron, Mayor

6/08/2022
DATE

**MAYOR'S
VETO**

Emily Styron, Mayor

DATE

EXHIBIT A

Plan Commission Certification

[attached]



Town of Zionsville 1100 West Oak Street Zionsville, Indiana 46077 www.zionsville-in.gov

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

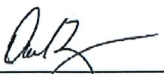
May 19, 2022

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

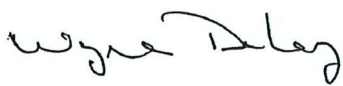
Be it advised that, pursuant to Indiana Code 36-7-4, on May 16, 2022, the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 6 in favor and 0 opposed, gave a Favorable Recommendation to proposal 2022-19-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2022-19-Z recommends that 40± acres described in the Petition be rezoned from the Rural (AG) Agricultural Zoning District to the Rural Light Industrial (I-1) District.

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2022-19-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, ("Exhibit B")) to the Town Council of Zionsville, Indiana, with a Favorable Recommendation.

TOWN OF ZIONSVILLE ADVISORY PLAN COMMISSION



David L. Franz, President



Wayne DeLong, AICP, CPM
Secretary, Town of Zionsville Advisory Plan Commission

EXHIBIT "A"

Legal Description

A PART OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 1 EAST, IN PERRY TOWNSHIP, BOONE COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE AFORESAID NORTHWEST QUARTER SECTION AND MONUMENTED BY A RAILROAD SPIKE; THENCE SOUTH 88 DEGREES 45 MINUTES 43 SECONDS WEST (BASIS OF BEARINGS ESTABLISHED BY GPS/GNSS SURVEY DATA PROJECTED ONTO THE STATE PLANE COORDINATE SYSTEM-NAD '83-INDIANA WEST ZONE- 1302) ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER 656.37 FEET; THENCE NORTH 00 DEGREES 39 MINUTES 55 SECONDS WEST PARALLEL TO THE EAST LINE OF SAID NORTHWEST QUARTER 2655.34 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 88 DEGREES 51 MINUTES 53 SECONDS EAST ALONG SAID NORTH LINE 656.36 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER MONUMENTED BY A HARRISON MONUMENT; THENCE SOUTH 00 DEGREES 39 MINUTES 55 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER 2654.16 FEET TO THE POINT OF BEGINNING AND CONTAINING 40.000 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, LEGAL DRAINS, AND RIGHTS-OF-WAY OF RECORD.

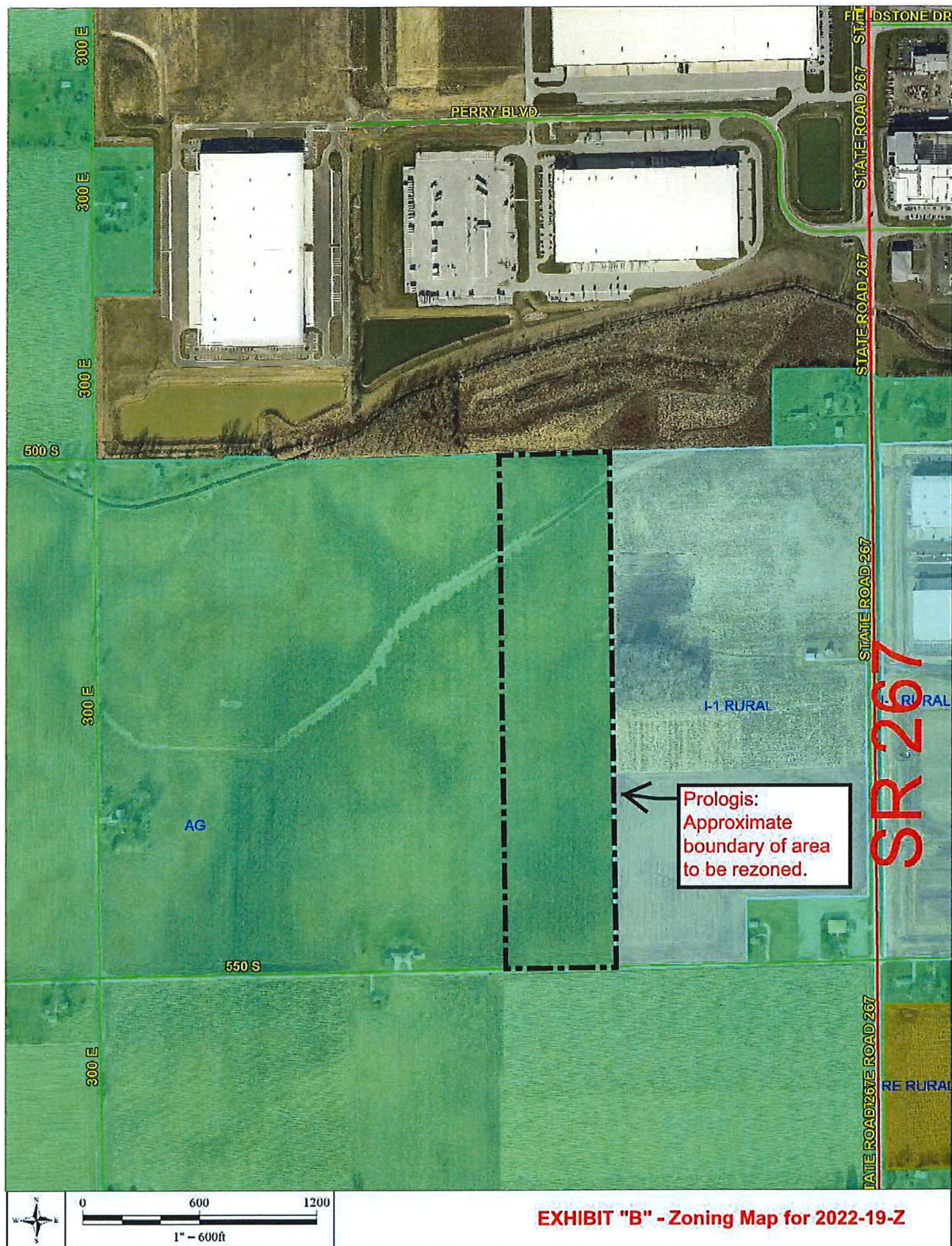


EXHIBIT B

Commitments and Conditions to Petition 2022-19-Z

Commitments

1. Light poles constructed on the Real Estate shall not be more than 20 feet in height.
2. Lighting installed on buildings constructed on the Real Estate shall be shielded (i.e. directed downwards) LED lights and not placed higher than 20 feet from ground level.
3. Landscape buffers will be provided in accordance with the Zionsville Zoning Ordinance with a 5'-0 Type "A" buffer adjacent to industrial zoned properties and 20'-0 Type "H" buffer adjacent to all agricultural zoned properties. The type of trees will be based on the ordinance requirements. Evergreen trees can be substituted as determined by the Planning Commission.
4. The development of the Real Estate shall comply with the submitted Site Plan with regard to buffer areas as shown on such plan; however, the number and size of buildings and number and orientation of drive aisles, parking spaces and access drives may be revised and established during Development Plan review.
5. Owner will screen any outside dumpsters in accordance with Zionsville's ordinance requirements.

Conditions

1. Future access to CR 550 shall be subject to Development Plan approval.
2. If access to CR 550 is approved, the developer shall be responsible for improving the CR 550 from the western property line of the Real Estate to its intersection with State Road 264.