



MEMORANDUM

November 21, 2022, Town Council Meeting

TO: Town of Zionsville Town Council
FROM: Mike Dale Director of Community and Economic Development
RE: Plan Commission Docket # 2022-47-OA
Ordinance Amendment request related to the Town of Zionsville Fee Schedule

The Town of Zionsville Fee Schedule is currently incorporated into the Zionsville Zoning Ordinance. The Fee Schedule is intended to be a stand-alone document that is **not** incorporated into the Zoning Ordinance but rather adopted, managed, and amended by administrative decision. When the Fee Schedule was incorporated into the Zoning Ordinance, it transitioned from "rule" to "law." That is not the intent of the Indiana Code statutes.

This proposed Zoning Ordinance Amendment is for the purpose of removing the Fee Schedule from the Zoning Ordinance. The Fee Schedule is found in Zoning Ordinance Section 195.01 and is attached for your convenience and reference. The Fee Schedule as a stand-alone document will simultaneously be considered and adopted by the Plan Commission with an effective date that coincides with the effective date of this Zoning Ordinance Amendment.

Please note that no text changes to the Fee Schedule are being proposed at this time or through this process. This first step is to simply remove the Fee Schedule from the zoning ordinance and establish it as a stand-alone document. Changes to the Fee Schedule thereafter may be considered and adopted by the Town Council.

Respectfully Submitted:

Mike Dale, AICP
Director of Community and Economic Development

ORDINANCE NO. 2022-27
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.
2022-47-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 October 17, 2022, 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 2022-47-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 October 17, 2022 (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 November 21, 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. Amend the Town of Zionsville Zoning Ordinance to remove the Town of Zionsville FEE SCHEDULE, Section 195.01, from the Zoning Ordinance.

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 on January 1, 2023, according to Indiana Law and until its repeal by ordinance.

Introduced and filed on the 17th day of October, 2022. 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.

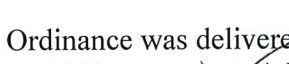
DULY PASSED AND ADOPTED this 21st day of November, 2022, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

Ordinance 2022-27

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

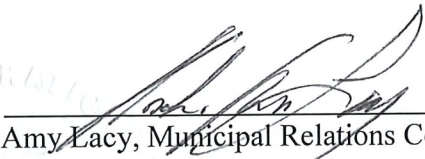
YEA

NAY

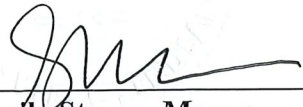
Jason Plunkett, President		
Brad Burk, Vice-President		
Josh Garrett		
Alex Choi		
Joe Culp		
Craig Melton		
Bryan Traylor		

I hereby certify that the foregoing Ordinance was delivered to the Town of Zionsville mayor Emily Styron on the 21st day of November, 2022 at 10:30 A.M./P.M.

ATTEST:


Amy Lacy, Municipal Relations Coordinator

**MAYOR'S
APPROVAL**


Emily Styron, Mayor

11/21/2022
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**

October 17, 2022

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

Be it advised that, pursuant to Indiana Code 36-7-4, on October 17, 2022, 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 2022-47-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 Articles within the Town of Zionsville Zoning Ordinance related to the Fee Schedule for the purpose of removing the Fee Schedule out of the Zoning Ordinance allowing for a stand-alone document.

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2022-47-OA to amend the Town of Zoning Ordinance (a copy of which is attached to the 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



Janice Stevanovic
Secretary, Town of Zionsville Advisory Plan Commission



§ 195.01 - FEE SCHEDULE

MISCELLANEOUS

Amendment Effective: September 7, 2022

Home Occupation Registry	\$40			
Zoning Confirmation	\$45			Form letter on Zionsville Letterhead
Zoning Determination	\$65			Includes 2 hours of reserch time; Docket search, VAR/SE/RZ etc.
Research	\$25			per hour every hour over initial 2 hours
Permit Extentions	\$50			One time, up to Six Months
Expired Permit Notification/Renewal	\$250			

ENCROACHMENT AGREEMENTS

Encroachment - Right of Way [ROW]	\$65			Application Fee
Encroachment - Air	\$65			Application Fee
Encroachment - Easement	\$65			Application Fee

LAND USE PETITIONS

Administrative Appeal	\$300			
Zone Map Change				
Residential Districts	\$400	plus	\$100.00	for each acre or any portion thereof
Business or Industrial Districts	\$1,000	plus	\$30	for each acre or any portion thereof
All other Districts	\$1,200	plus	\$30	for each acre or any portion thereof
Variance				
Use				
Residential Use	\$400	plus	\$25	for each variance of Development Standard requested
Other Use	\$1,200			
Development Standards				
Residential Districts	\$375	plus	\$25.00	for each additional Development Standard requested
All other Districts	\$675	plus	\$50.00	for each additional Development Standard requested
Special Exception	\$700			
Amendment or Termination of Commitments of a Variance or Special Exception	\$1,000			
Approvals				
Development Plan	\$675	plus	\$100.00	per acre
Modification or Termination of Development Plan	\$575	plus	\$100.00	per acre
Plat/Subdivision (R-SF-1, R-SF-2, R-V Districts)				
Major Plat - Primary Plat	\$825	plus	\$30.00	per lot
Major Plat - Secondary Plat	\$550	plus		per section (plus \$20 per lot)
Minor Plat - Primary Plat	\$300	plus	\$15.00	per lot
Minor Plat - Secondary Plat	\$550	plus		per section (plus \$20 per lot)
Re-Plat	\$550	plus	\$100.00	per additional lot



LAND USE PETITIONS (Cont.)

Plat/Subdivision (All other Districts)				
Major Plat - Primary Plat	\$1,000	plus	\$5.00	per lot
Major Plat - Secondary Plat	\$400			per section
Minor Plat - Primary Plat	\$1,000	plus	\$5.00	per lot
Minor Plat - Secondary Plat	\$400			per section
Re-Plat	\$500	plus	\$100.00	per additional lot

IMPROVEMENT LOCATION PERMITS (Building Permit Fee Included)

RESIDENTIAL

Single or Two Family Dwellings				
New Building	\$700	plus	\$0.10	per square foot (includes 5 inspections)
Exterior and Interior Remodeling	\$360	plus	\$0.10	per square foot if over 400 square feet of exterior remodeling (includes four inspections)
Addition to an Existing Single or Two Family Dwelling	\$360	plus	\$0.10	per square foot if over 400 square feet (includes four inspections)
Accessory Uses				
Detached Accessory Buildings, (Large), Garages, Carports	\$200	plus	\$0.10	per sq.ft. over 200 square feet of total floor area (includes two inspections)
Detached Accessory Buildings (Small)	\$100	plus	\$0.00	Structure shall be 200 square feet or less in square footage
Swimming Pools, Hot Tubs (above or below Grade)	\$350	plus	\$0.10	per square foot of total pool and deck, or hot tub dimension (includes 2 inspections)
Decks	\$75			floor height of 0-30 inches above grade requires structural plan review and final inspection. (includes 1 inspections)
Decks	\$175			floor height greater than 30 inches above grade- Plans required for verification with Indiana Code requirements. (includes 3 inspections-footing, framing, final)
Demolition	\$100	plus	\$50.00	each additional building
Other residential	\$75			including roofing, patio and electrical permits

Additional Certificate of Occupancy Fee Applies to most permits (see details below)

No ILP is required and no fees are charged for fences.

Square Footage is considered gross area, above grade (as further clarified on the Improvement Location Permit Application form)

COMMERCIAL

Multifamily Dwellings				
Primary Buildings	\$500	plus	\$100.00	per unit (includes 6 inspections per unit)
Accessory Buildings/Structures	\$350	plus	\$0.10	per building/structure; per square foot if over 400 square feet (includes 3 inspections)
Business, Industrial, or Special Use				
New Building	\$500	plus	\$0.17	per square foot of total floor area (includes five base inspections)
Addition to an Existing Building	\$500	plus	\$0.17	per square foot of total floor area added (includes 4 inspections)
Parking Lot Construction or Remodeling (as a Primary Use or as an expansion or remodeling of an existing Parking Lot)	\$5			per Parking Space(includes 2 inspections)
Accessory Buildings / Structures	\$350	plus	\$0.17	per square foot of total floor area over 100 square feet (includes 3 inspections)
Interior Remodel/Tenant Finish	\$350	plus	\$0.17	per square foot (includes 3 inspections)
Demolition	\$200	plus	\$100.00	per additional building
All Other Improvements	\$90			includes 1 inspection



OTHER IMPROVEMENT LOCATION PERMIT FEES

Amended ILP application: (Residential)	\$125			Re-review
Amended ILP application: (Commercial/Industrial)	\$150			Re-review
Duplicate Permit	\$25			
Re-Inspection Fees	\$150			Commercial
Re-Inspection Fees	\$75			Residential

SIGNS

Application Fee	\$25			Does not count against Permit Fee
Final Inspection Fee	\$25			
On-Premise Freestanding Identification (Ground or Pylon)				
up to 24 square feet in area	\$200			
over 24 square feet in area	\$200	plus	\$1.00	per square foot of Sign Area
On-Premise Building Identification (Wall, Projecting, Awning, Canopy)	\$45	plus	\$1.00	per square foot of Sign Area
On-Premise Incidental (any type)	\$50			
On-Premise Suspended	\$50			
Off-Premise (Advertising)	\$300	plus	\$1.00	per square foot of Sign Area

CLEARANCE OF LAND/GRADING PERMIT

2.00 ac. (gross) or less in size	\$50	plus	\$25.00/ac.	
2.01 ac. (gross) in size, or larger	\$125	plus	\$5/ac.	

ANY OTHER IMPROVEMENTS

	\$50			
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CERTIFICATE OF OCCUPANCY / TEMPORARY CERTIFICATE OF OCCUPANCY

PRIMARY USE/BUILDING/STRUCTURE

Residential (single or two family)	\$50			
Residential (multifamily)	\$50			per unit
Business / Industrial / or Special Use	\$50			per leased area / tenant space
All Other	\$25			

ACCESSORY USE/BUILDING/STRUCTURE IN ANY DISTRICT

	\$25			
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ALTERNATE FEE

MUNICIPAL AND SCHOOL FEES

The fees listed in § 195.01 shall not be applicable to all Zionsville Community School Corporation Buildings, Structures or facilities with the exception of commercial building inspection fees, which shall be reduced by one-half. All required inspections are to be scheduled with the Town of Zionsville. The waiver of these Improvement Location Permit fees exempts neither the Zionsville Community School Corporation from compliance with all provisions of this Ordinance.

OTHER FEES

For Churches and other not-for-profit organizations, all fees listed in § 195.01 shall be reduced by one-half, including all required building inspection fees.. Documentation of charitable (501 c3) status shall be submitted with the petition or request for an Improvement Location Permit in order to verify an organization's not-for-profit status. All required inspections to be scheduled with the Town of Zionsville.

FEES FOR IMPROVEMENT LOCATION PERMIT OBTAINED AFTER COMMENCEMENT OF WORK

If work for which an Improvement Location Permit is required has commenced in violation of the provisions of this Ordinance, the Improvement Location Permit fee shall be five (5) times the applicable amount stated in § 195.01, however, that the maximum fee incurred under this Section shall be \$5,000 plus the amount of the normal fee for the permit.

LATE FEES ON INSPECTIONS. THE FOLLOWING FEES WILL BE ASSESSED WHEN CONSTRUCTION HAS BEEN PERFORMED BEYOND A REQUIRED INSPECTION, I.E., POURING CONCRETE PRIOR TO A FOOTING INSPECTION, INSULATING PRIOR TO THE ROUGH-IN INSPECTION AND USING OR OCCUPYING NEW CONSTRUCTION PRIOR TO A CERTIFICATE OF OCCUPANCY (C/O). UPON RECEIPT OF THE LATE FEE, THE INSPECTION MUST BE SCHEDULED AND PERFORMED BEFORE WORK CAN RESUME.

Single or Two Family Dwellings New Building	\$350			
Commercial New Building	\$500			
Residential Other	\$150			
Commercial Other	\$250			



**ADDITIONAL DEPARTMENT/MUNICIPALITY FEES THAT MAY BE
APPLICABLE WHEN OBTAINING AN IMPROVEMENT LOCATION PERMIT**

TOWN OF ZIONSVILLE (as of 1-21-2014)

RESIDENTIAL SINGLE FAMILY

Road Impact Fee	\$1,009			(as of 10-7-2014)
Park Impact Fee	\$2,045			(per Resolution #: 2022-01; Passed 2/8/2022)
Sewer Connection & Permit Fee	\$4,025			Wastewater Department #317-873-2332
Stormwater Individual Lot Permit	\$200			Street & Stormwater Department #317-873-4544
Easement Encroachment Permit	\$150			Street & Stormwater Department #317-873-4544
Drivecut Review	n/a			Street & Stormwater Department #317-873-4544

COMMERCIAL

Fire Protection Permit	varies			Fire Department #317-873-5358
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The following permits (*IF APPLICABLE*) must be obtained **BEFORE** Improvement Location Permit
submittal to the Town of Zionsville Planning & Economic Development Department

DRIVEWAY PERMIT

Boone County Highway Department				#765-482-4550 1955 Indianapolis Avenue, Lebanon, IN 46052
State of Indiana Highway Department				#765-362-3700 P.O. Box 667, Crawfordsville, IN 46933

SEPTIC/SEWER & WELL/WATER

Boone County Health Department				#765-483-4458 116 W. Washington, Rm. B201, Lebanon, IN 46052
Clay Township Regional Waste Dist.				#317-844-9200 10701 N College Ave, Ste A, Indpls, IN 46280
Whitestown Municipal Sewers				#317-733-8584 6210 Veterans Dr, Whitestown, IN 46075

STORMWATER DRAINAGE PERMIT

Boone County Surveyor				#765-483-4444 116 W. Washington, Rm. 102, Lebanon, IN 46052
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