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Luann G. Welmer, Clerk-Treasurer

CITY COUNCIL MEETING
CITY HALL
TUESDAY, OCTOBER 15, 2013
6:00 O'CLOCK P.M.

I. Meeting Called to Order

A. Opening Prayer
B. Pledge of Allegiance
C. Roll Call
D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

A. Second Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "CN" (COMMERCIAL: NEIGHBORHOOD CENTER) TO "CD" (COMMERCIAL: DOWNTOWN CENTER)." (Fraternal Order of Eagles Rezoning) Jeff Bergman

B. Second Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "12" (INDUSTRIAL: GENERAL) TO "CC" (COMMERCIAL: COMMUNITY CENTER)." (Orinoco Properties Rezoning) Jeff Bergman

C. Second Reading of an Ordinance entitled "ORDINANCE NO. _____, 2013, AN ORDINANCE AMENDING THE DEFINITIONS AND THE ADMINISTRATIVE SUBDIVISION PROVISIONS OF THE CITY OF COLUMBUS SUBDIVISION CONTROL ORDINANCE." Jeff Bergman

III. New Business Requiring Council Action

A. First Reading of an Ordinance entitled "ORDINANCE NO._____, 2013, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2013." Luann Welmer.

City Hall • 123 Washington Street • Columbus, Indiana 47201 • lwelmer@columbus.in.gov
812-376-2510 • Fax: 812-376-2651

IV. Other Business

A. Standing Committee and Liaison Reports

A. Discussion Items: Establishment of Petty Cash Funds for City Garage and Police Department

C. Next regular meeting is scheduled for **Tuesday, November 5, 2013 at 6:00 P.M. in City Hall.**

D. Adjournment.

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: September 24, 2013

RE: *RZ-13-05 (Fraternal Order of Eagles Rezoning)*

At its September 11, 2013 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 8 in favor and 0 opposed.

The Fraternal Order of Eagles proposes to rezone the property at 930 Washington Street to CD (Commercial: Downtown Center) for use as their new lodge. The property is currently zoned CN (Commercial: Neighbored Center). A "private club", such as the Eagles is not listed as either a "permitted" or "conditional" use in the CN zoning district. However, it is listed as a conditional use in the CD district. The rezoning of the property would be the first of 2 steps for the Eagles in gaining approval of this location for their lodge. After rezoning, they will also need to seek the required conditional use approval from the Columbus Board of Zoning Appeals.

Please recall that a rezoning approval is not specific to the plans of each particular applicant, but rather a regulatory change that applies to the long-term use and development of property. The most significant differences between the existing CN zoning and the proposed CD zoning are: (1) the CD district does not require any off-street parking to be provided, (2) physical changes to property in the CD district are subject to the review and approval of the Plan Commission, (3) the CD district allows for a wider variety of land uses, and (4) the CD district requires buildings to be placed at the sidewalk and have other features consistent with the types of development found in a downtown area.

One member of the public was present at the Plan Commission public hearing to ask questions about this rezoning request. They expressed curiosity as to whether or not the rezoning would affect the boundaries of the downtown-area TIF district. The Plan Commission indicated to them that it would not.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Plan Commission staff report, and
4. a location map.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "CN" (COMMERCIAL: NEIGHBORHOOD CENTER) TO "CD" (COMMERCIAL: DOWNTOWN CENTER)

To be known as the: Fraternal Order of Eagles Rezoning
Plan Commission Case No.: RZ-13-05

WHEREAS, this rezoning was requested by the Fraternal Order of Eagles and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on September 11, 2013, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "CN" (Commercial: Neighborhood Center) to "CD" (Commercial Downtown Center):

A part of the Southwest Quarter of Section 24, Township 9 North, Range 5 East, and described as follows:

Beginning as a point Thirty-three (33) feet North of the Northeast comer of Lot Number Twenty one (21) in Doup's Addition to the Town (now city) of Columbus; thence North One Hundred and Seventy-six and one half (l76 1/2) feet to the East and West center line of Section Twenty four (24), Township Nine (9) North, Range Five (5) East; thence West One Hundred Fifty (150) feet to the East side of an Alley West of Washington Street, and parallel thereto when produced; thence South One Hundred Seventy four (174) feet, more or less to the North side of Ninth Street (formerly Elm Street); thence East One Hundred Fifty (150) feet to the place of beginning, subject to a right of way for an alley six feet wide off the North side thereof so long as the owner of the land on the North shall leave six feet for the same purpose, same being unplatted ground in the City of Columbus, Bartholomew County, Indiana.

SECTION 2: Commitment(s)

No commitments are attached to this rezoning.

SECTION 3: Repealer

All other ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2013 at _____ o'clock ____.m., by a vote of _____ ayes and _____nays.

_____
Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2013 at _____ o'clock ____.m.

_____
Kristen S. Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: RZ-13-05

of the City of Columbus, Indiana Plan Commission

regarding
Case number RZ-13-05
(Fraternal Order of Eagles Rezoning),
a proposal to rezone +/-0.59 acres from
CN (Commercial: Neighborhood Center) to CD (Commercial: Downtown Center)

WHEREAS, the Plan Commission has received the application referenced above from the Fraternal Order of Eagles; and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

WHEREAS, the Plan Commission did, on September 11, 2013, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

1) The rezoning of the property subject to the application (approximately 0.59 acres located on the northwest corner of Washington and 9th Streets) is forwarded to the Common Council with a favorable recommendation.

2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11th DAY OF, SEPTEMBER 2013 BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

Signed Copy on File in the Planning Department

Roger Lang, President

ATTEST:

Signed Copy on File in the Planning Department

Dave Fisher, Secretary

Prepared by the City of Columbus - Bartholomew County Planning Department
Jeffrey R. Bergman, AICP #014602 – Planning Director

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION
(September 11, 2013 Meeting)

Docket No. / Project Title:	RZ-13-05 (Fraternal Order of Eagles)
Staff:	Emilie Pinkston
Applicant:	Fraternal Order of Eagles
Property Size:	25,700 Square Feet
Current Zoning:	CN (Commercial: Neighborhood Center)
Proposed Zoning:	CD (Commercial: Downtown Center)
Location:	930 Washington Street, in the City of Columbus

Background Summary:
The applicant has indicated that the proposed rezoning is for the purpose of relocating the Fraternal Order of Eagles to the subject property. Private clubs are a conditional use in the CD (Commercial: Downtown Center) zoning district; therefore, a successful rezoning will provide the Eagles with an opportunity to request conditional use approval from the Columbus Board of Zoning Appeals to locate on the property.

Key Issue Summary:
The following key issue(s) should be resolved through the consideration of this application: Is the CD (Commercial: Downtown Center) zoning district appropriate at this location, and more generally, north of 9th Street?

Preliminary Staff Recommendation:
Favorable recommendation to the City Council

Plan Commission Options:
In reviewing a request for *rezoning* the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding *rezoning* applications.

Decision Criteria:
Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.
Preliminary Staff Comments: The subject property is located within the Downtown Columbus character area, as identified by the Land Use Element of the Comprehensive Plan and is identified as mixed use by the Future Land Use Map. The Comprehensive Plan encourages the use of existing buildings and infrastructure wherever possible in order to reduce urban sprawl on undeveloped land. Locating businesses within vacant or underutilized buildings utilizes existing infrastructure, saves resources, and preserves undeveloped land. The Comprehensive Plan further encourages uses in and near the

downtown that add vitality during weekend and evening hours. Rezoning the subject property to CD would allow for a greater variety of uses that would encourage activity during these times.

The current conditions and the character of current structures and uses in each district.
Preliminary Staff Comments: The subject property was developed in the late 1940s; it contains a commercial structure with a 0-foot building setback along the Washington Street frontage and a parking area within the 9th Street frontage. The 0-foot building setback along Washington Street is consistent with other structures in the CD zoning district.

The most desirable use for which the land in each district is adapted.
Preliminary Staff Comments: The subject property is located within walking distance of several other downtown facilities, including the Cummins Office Building, the Moose Lodge, the Jackson Place development, and many downtown shops and restaurants. The property was developed for commercial use and is immediately adjacent to the CD zoning district on the south.

The conservation of property values throughout the jurisdiction of the City of Columbus.
Preliminary Staff Comments: Rezoning the subject property to CD (Commercial: Downtown Center) should not be expected to negatively impact property values throughout the jurisdiction. As part of the Site Development Plan District, significant modifications to the structure and/or property would continue to be under review of the Columbus Plan Commission.

Responsible growth and development.
Preliminary Staff Comments: The proposed rezoning will facilitate the occupancy of a vacant facility with available infrastructure. The property is immediately adjacent to CD zoning and represents logical expansion of the CD zoning district. Because the property is located within walking distance of most facilities in the downtown area and is located along Washington Street, the primary thoroughfare through the downtown area, the subject property would complement other uses in the CD zoning district and would function as part of the downtown area. Furthermore, while somewhat limited, on-street parking, an amenity of the downtown area, is available near the subject property.

Current Property Information:	
Land Use:	Vacant
Site Features:	9,000 square foot (approximately) vacant building and parking area
Flood Hazards:	No flood hazards exist on the subject property.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances exist on the subject property.
Vehicle Access:	The property is accessed from Washington Street (Urban, Commercial, Collector Street) and 9th Street (Urban, Commercial, Local Street).

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	CN (Commercial: Neighborhood Center)	Vacant Residential Structure
South:	CD (Commercial: Downtown Center)	Office Use

East:	CN (Commercial: Neighborhood Center)	Commercial Uses
West:	CN (Commercial: Neighborhood Center)	AT&T Communications Office

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: CN	**Proposed Zoning: CD**
Zoning District Intent:	This district is intended to provide convenience goods, services, and amenities within close proximity to residential areas. This district is also intended to enable the development of small-scale, mixed-use neighborhood centers. The commercial centers are generally to be located at major intersections, should be pedestrian oriented, and should provide ample buffering from adjacent residential uses. Further, this district should be protected from non-neighborhood serving land uses and businesses.	This district is intended to serve as the primary commercial and activity center, where a complete range of goods, services, and entertainment is located. This district is intended to serve as a focal point, and to be the most intensely developed area in the community. This district is further intended to support the continued sue of historic structures, to ensure a pedestrian-focused character, and to enable continued investment.
Permitted Uses:	• Bed and Breakfast Facility • Secondary Dwellings (on upper floors of other use) • Clinic • Day-Care Center (Adult or Child) • Police, Fire, or Rescue Station • Nature Preserve / Conservation Area • Park / Playground • Office Uses • Personal Service Uses • Recreation Uses (Small Scale) • Restaurant • Retail Uses (Small Scale)	• Bed and Breakfast Facility • Secondary Dwellings (on upper floors of other use) • Clinic • Day-Care Center (Adult or Child) • Funeral Home • Government Office • Library • Museum • Parking Lot / Garage (as a primary use) • Police, Fire, or Rescue Station • Post Office • Trade of Business School • Nature Preserve / Conservation Area • Park / Playground • Conference Center

		• Data Processing / Call Center • Farmer's Market • Health Spa • Hotel / Motel • Instructional Center • Liquor Store • Office Uses • Personal Service Uses • Recreation Uses (Small Scale) • Recreation Uses (Medium Scale) • Restaurant • Retail Uses (Small Scale) • Retail Uses (Medium Scale)
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	**Minimum Lot Area:** 5,000 sq. ft. **Maximum Lot Coverage:** 75%	**Minimum Lot Area:** 3,000 sq. ft. **Maximum Lot Coverage:** 100%
Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	**Side Yard Setback:** Primary Structure: 5 feet Accessory Structure: 5 feet **Rear Yard Setback:** Primary Structure: 5 feet Accessory Structure: 5 feet **Front Yard Setback:** Collector Street: 10 feet* Local Street: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structure	**Side Yard Setback:** 0 feet **Rear Yard Setback:** 0 feet **Front Yard Setback:** Collector Street: 0 foot build-to* Local Street: 0 foot build-to* *The build-to line is a line parallel to the front property line indicating the distance from the front property line at which the primary structure must be built. This line is neither a minimum nor a maximum; it is a requirement.

Height Restrictions:	**Primary Structure:** 35 feet **Accessory Structure:** 25 feet	**Primary Structure:** 125 feet, except for the following – (1) Washington Street Frontage: 60 feet, for the one-half block on each side of Washington Street between 2nd and 8th Streets and (2) Residential Context: 50 feet, within one-half block of any single-family residential zoning district. **Accessory Structure:** 35 feet
Floor Area Requirements:	None	None
Signs:	**Wall Signs:** 3 walls are permitted for each public street frontage. The maximum total area for all wall signs cannot exceed 15% of the area of the front walls, or 200 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign is permitted for each public street frontage. The maximum allowed area for each sign is 50 square feet, and the maximum allowed height is 6 feet.	**Wall Signs:** 1 wall sign is permitted for each public street frontage. The maximum total area for all wall signs cannot exceed 8% of the area of the front walls, or 200 square feet, whichever is less. **Freestanding Signs:** Freestanding signs are only permitted in the CD zoning district on a lot that (a) exceeds 2 acres in area and (b) includes a primary structure that has a minimum front setback of 20 feet.* Where freestanding signs are permitted, 1 sign is permitted per public street frontage. The maximum allowed area for each sign is 50 square feet, and the maximum allowed height is 6 feet. *The subject property, due to its size, would not be permitted a freestanding sign.

Interdepartmental Review:	
City Engineering:	No comments received.
City Utilities:	No comments received.
Parks Department:	No comments received.

MPO:	No comments received.
Fire Department:	No issues with this request.

History of this Location:

The relevant history of this property includes the following: The building on the subject property was constructed in 1948 and is the former site of the Wonder Bread Thrift Shop and the Hostess Cakes and Interstate Brands Bakery.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as mixed use.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.
2. **POLICY E-1-1:** Maintain the downtown as the heart of the city, retaining its function as the government, institutional, and financial center of the community.
3. **POLICY E-1-2:** Encourage retail, entertainment, restaurant, and similar uses which add to the vitality of the downtown, with emphasis on after-hours and weekend activities.

This property is located in the Downtown Columbus character area. The following Planning Principle(s) apply to this application:

1. New development or redevelopment should enhance the positive qualities of downtown. A healthy land-use mix should be retained, including a variety of retail, office, financial, professional, and institutional uses. Suburban-type uses such as big-box retail stores should not be permitted.
2. Retail and restaurant uses should be encouraged in the downtown but not to the exclusion of existing office, professional, financial, and institutional uses.
3. As uses change or expand, the city should ensure that smooth traffic flow will be maintained and that convenient parking is available.
4. Locate off-street parking behind structures rather than in front of or beside them.
5. Retain the urban character by locating buildings close to the street.

The subject property is located within the Neighborhood Service Center, a Core Downtown District established by the Downtown Columbus Strategic Development Plan. The following Downtown Columbus Strategic Development Plan goals apply to this application:

- Cluster retail around the intersection of Washington and 11th Street
- Develop vacant lots with multi-family housing adjacent to retail center
- The mix of uses in the Neighborhood Service Center should be split between housing and daily goods and services

Planning Consideration(s):

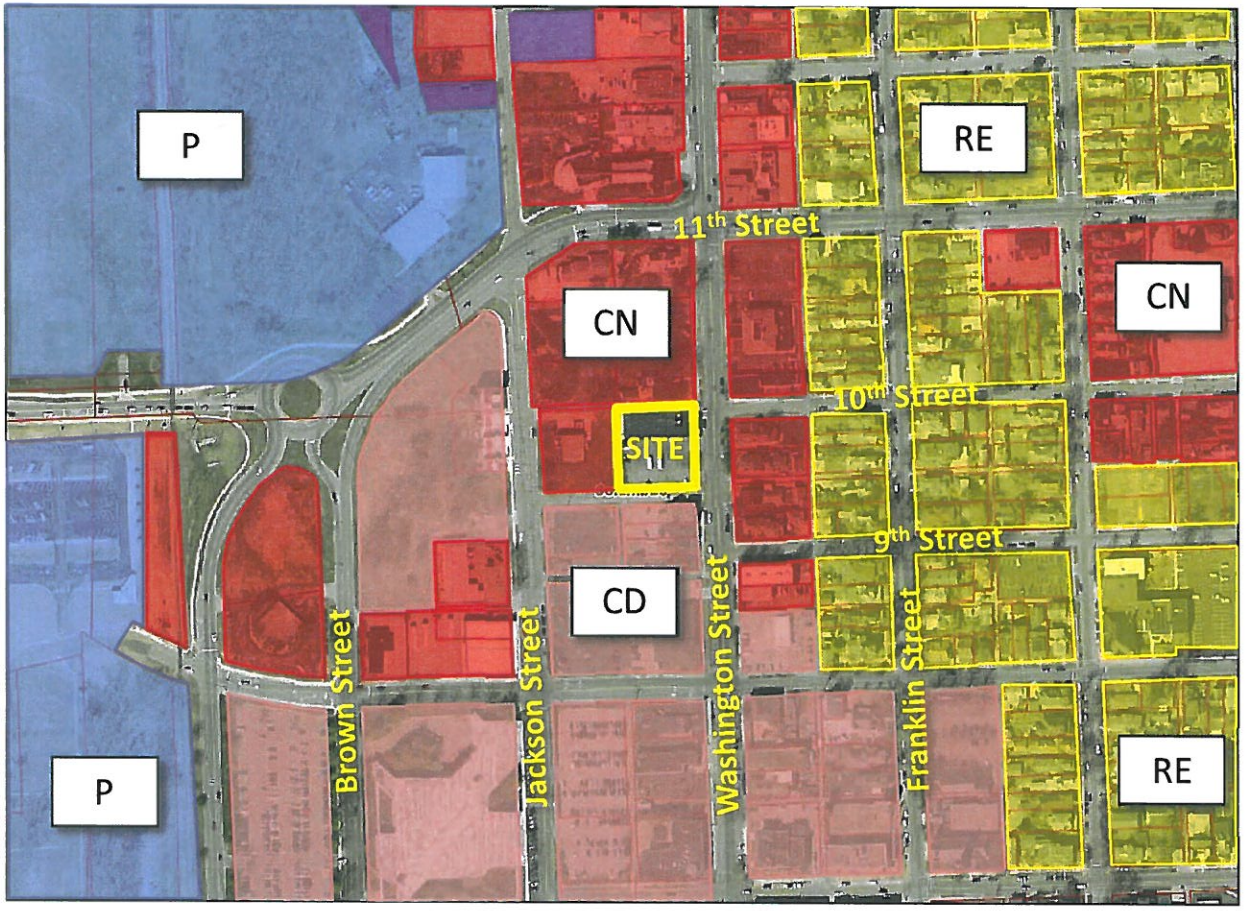
The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The Fraternal Order of Eagles (FOE) is proposing to relocate to the subject property. The FOE is an international, non-profit organization whose members unite for fellowship and philanthropic activities. Common activities at the Eagles Lodge include bingo, card tournaments, music performances, and other social gatherings. The Zoning Ordinance classifies the FOE as a private club, a "facility or property owned or operated by a corporation, association, person or persons for a social, educational, or recreational purpose and for which membership is required for participation." Private clubs are not outright permitted in the CD (Commercial: Downtown Center) zoning district; they are permitted by conditional use only.
2. If the subject property is successfully rezoned to CD, the FOE will next have to request conditional use approval from the City of Columbus Board of Zoning Appeals (BZA). During the conditional use

review, the BZA will consider whether any site improvements, such as landscaping and parking, should be required as a condition of the FOE's approval.

3. The CD zoning district is classified as a Site Development Plan district. Any significant site feature modifications, as defined by the Zoning Ordinance, would require Plan Commission approval. Minor modifications, such as changes that do not alter vehicle ingress/egress and do not increase floor area by more than 15%, may be approved administratively. The CD and P (Public/Semi-Public Facilities) zoning districts are the only Site Development Plan zoning districts.
4. Per Zoning Ordinance Section 7.1(Part 1)(A)(1)(a), properties located within the CD zoning district are not required to provide on-site parking. However, for private clubs in zoning districts other than the CD zoning district, the Zoning Ordinance requires the on-site provision of 1 parking space for every 4 seats. The FOE expects to provide 182 seats within the renovated facility; therefore, 46 parking spaces would be required in any other zoning district. Currently, the subject property has approximately 36 on-site parking spaces.
5. The subject property is not currently constructed to the standards of the CD zoning district. However, if the property is successfully rezoned, any subsequent improvements to the property would be required to meet the standards of the CD zoning district. The following are examples of the current development's inconsistencies with the CD zoning district:
    - Zoning Ordinance Section 7.2(Part 4)(B)(3)(c) prohibits the installation of a parking area in the front yard. Parking is currently provided within the 9th Street front yard.
    - Zoning Ordinance Section 8.1(C)(1) states that parking lot frontage landscaping is required whenever parking areas are provided and abut a public street frontage. This landscaping requirement consists of large or medium deciduous trees and shrubs. The current landscaping does not meet this requirement.
6. On-street parking, while limited, is available near the subject property, along Washington and Jackson Streets. On-street parking is not available along 9th Street. Freestanding parking areas near the subject property are privately owned and parking within these lots is restricted. Approximately 75 on-street parking spaces are provided with 1.5 blocks of the subject property.
7. The subject property is located within walking distance of several other downtown facilities. The Cummins Corporate Office Building, the Jackson Place development, the Moose Lodge, the 4th Street entertainment area, and several shops and restaurants are all located within five blocks of the subject property.
8. The subject property is located along the Commerce Corridor, Washington Street, identified by the Columbus Arts District Strategic Plan. The Commerce Corridor is identified by a number of restaurants and commercial businesses.
9. Another option that the FOE might consider is the CDS (Commercial: Downtown Support) zoning district. Similar to the CD zoning district, private clubs are a conditional use in the CDS zoning district. The intent of this district is to serve as a transitional area between the urban downtown and the suburban commercial areas at the edges of downtown. This district provides that transition by allowing uses that would be appropriate in either setting and the flexibility for new development to be either suburban or urban in character, with the intent being a market-driven conversion of the district to a pedestrian-oriented urban setting that facilitates the gradual expansion of the downtown area. Uses within the CDS zoning district are partially exempt from the requirements that on-site parking be provided; all properties within this district may provide only 50% of the parking spaces otherwise required by the Ordinance.

Property Location & Surrounding Zoning



City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP

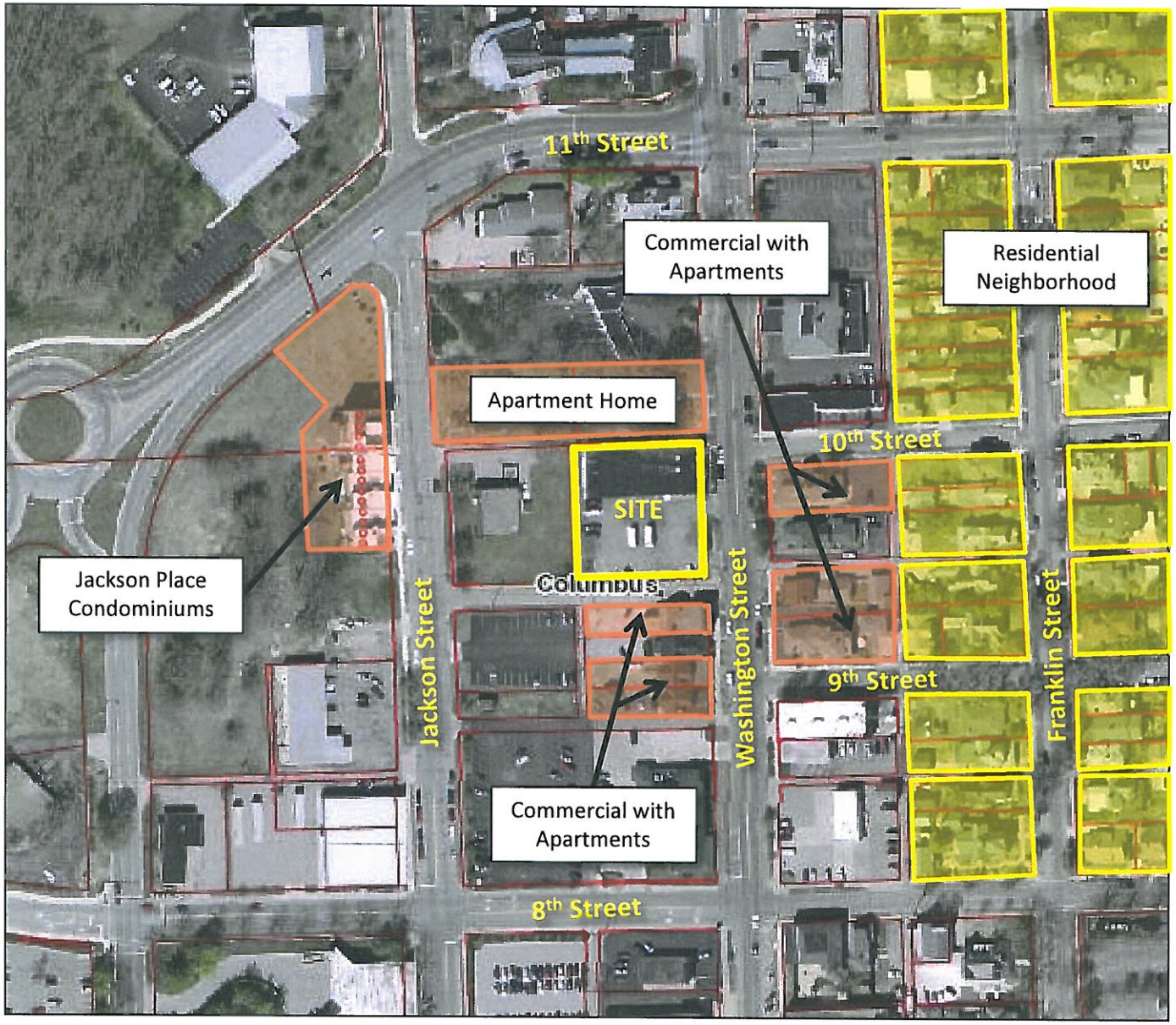
DATE: October 8, 2013

RE: *RZ-13-05 (Fraternal Order of Eagles Rezoning)*

As a follow-up to your question at the October 1 first reading of the ordinance rezoning the property at 930 Washington Street for the Eagles the Planning Department has conducted a more detailed survey of residential uses in the area. A map displaying the results is attached.

Please feel free to contact me if you have any questions regarding this matter.

930 Washington Street – Neighboring Residential Uses



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MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: September 24, 2013

RE: *RZ-13-04 (Orinoco Properties Rezoning)*

At its September 11, 2013 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 8 in favor and 0 opposed.

John Counceller (Orinoco Properties) proposes to rezone the property at 1613 Cottage Avenue to CC (Commercial: Community Center) in order to develop the property as a parking lot for use in support of the commercial center he owns on the property to the immediate south. This property was the site of a single-family home that was recently demolished and is currently zoned I2 (Industrial: General). If the rezoning is successful Mr. Counceller plans on re-platting these properties to remove the lot line between this lot and the commercial center and then construct his parking lot addition.

Please recall that a rezoning approval is not specific to the plans of each particular applicant, but rather a regulatory change that applies to the long-term use and development of property. The most significant differences between the existing I2 zoning and the proposed CC zoning are the types of uses that would be allowed on the property. Industrial uses are currently allowed at this location and commercial uses, including the parking lot Mr. Counceller plans, would be allowed if the proposed rezoning is approved.

No members of the public spoke for or against this proposal at the Plan Commission public hearing.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Plan Commission staff report, and
4. a location map.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "I2" (INDUSTRIAL: GENERAL) TO "CC" (COMMERIAL: COMMUNITY CENTER)

To be known as the: Orinoco Properties Rezoning
Plan Commission Case No.: RZ-13-04

WHEREAS, this rezoning was requested by John Counceller (Orinoco Properties) and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on September 11, 2013, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "I2" (Industrial: General) to "CC" (Commercial: Community Center):

Lot number 38 in Marshall Taylors 4th Addition to the City of Columbus.

SECTION 2: Commitment(s)

No commitments are attached to this rezoning.

SECTION 3: Repealer

All other ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2013 at _____ o'clock ____.m., by a vote of _____ ayes and _____nays.

_____
Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2013 at _____ o'clock ____.m.

_____
Kristen S. Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: RZ-13-04

of the City of Columbus, Indiana Plan Commission

regarding
Case number RZ-13-04
(Orinoco Properties Rezoning),
a proposal to rezone +/- 5,880 square feet from
I2 (Industrial: General) to CC (Commercial: Community Center)

WHEREAS, the Plan Commission has received the application referenced above from John Counceller (Orinoco Properties); and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

WHEREAS, the Plan Commission did, on September 11, 2013, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

1) The rezoning of the property subject to the application (approximately 5,880 square feet located on the east side of Cottage Avenue, approximately 400 feet south of the centerline of 17th Street) is forwarded to the Common Council with a favorable recommendation.

2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11th DAY OF, SEPTEMBER 2013 BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

Signed Copy on File in the Planning Department

Roger Lang, President

ATTEST:

Signed Copy on File in the Planning Department

Dave Fisher, Secretary

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
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STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION
(September 11, 2013 Meeting)

Docket No. / Project Title:	RZ-13-04 (Orinoco Properties)
Staff:	Allie Keen
Applicant:	John Councellor (Orinoco Properties Inc.)
Property Size:	5,880 Square Feet
Current Zoning:	I2 (Industrial: General)
Proposed Zoning:	CC (Commercial: Community Center)
Location:	1613 Cottage Avenue, in the City of Columbus

Background Summary:
The applicant has indicated that the proposed rezoning is for the purpose of combining the subject property and the property to the south into one single lot. The applicant intends to expand the parking lot for the property to the south.

Key Issue Summary:
The following key issue(s) should be resolved through the consideration of this application:

1. Will the proposed commercial zoning district be appropriate within the neighborhood context of the surrounding area?
2. Should a landscape buffer be required to screen the neighboring residential properties from the proposed commercial property?

Preliminary Staff Recommendation:
Favorable Recommendation to City Council.

Plan Commission Options:
In reviewing a request for *rezoning* the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding *rezoning* applications.

Decision Criteria:
Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.
Preliminary Staff Comments: The Comprehensive Plan identifies the future landuse of this property as residential, however the property is currently zoned industrial which would not permit single-family residential. The Comprehensive Plan also identifies this property within the Columbus Central Neighborhoods character area which does promote neighborhood business. Although the property is not

intended to be developed as new neighborhood business it will be combined with and support a property that already has established commercial development.

The current conditions and the character of current structures and uses in each district.
Preliminary Staff Comments: There are currently no existing structures on this property and the applicant indicated the property will provide additional parking for the commercial strip center to the south. The immediate area to the south and west is generally industrial and commercial uses which is what is being proposed.

The most desirable use for which the land in each district is adapted.
Preliminary Staff Comments: The subject property will be combined with the property to the south which gains access from Central Avenue. Central Avenue is identified by the Thoroughfare Plan as an arterial street. Commercial development is expected along arterial streets that are located within the City limits. Additionally, there already is commercial development in the immediate area.

The conservation of property values throughout the jurisdiction of the City of Columbus.
Preliminary Staff Comments: Properties along Central Avenue and Cottage Avenue in this area are primarily industrial or commercial uses. The subject property however is adjacent to residential homes to the north where a landscape buffer would not be required because of the industrial zoning of these properties. This area is mixed use with residential, commercial, and industrial areas. A change to commercial zoning on this lot would be a positive change for the adjacent industrial zoned homes.

Responsible growth and development.
Preliminary Staff Comments: The subject property is located well within the city limits of Columbus and in an area that is already primarily commercial and industrial use. There are adequate utilities and the property will have adequate vehicular access once combined with the property to the south.

Current Property Information:	
Land Use:	Vacant Land (Undeveloped)
Site Features:	There are no relevant site features.
Flood Hazards:	No flood hazards exist at this location.
Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances exist at this location.
Vehicle Access:	The property gains access from Central Avenue (Arterial, Residential, Urban) and Cottage Avenue (Local, Industrial, Urban) through an alley.

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	I2 (Industrial: General)	Single-Family Residential
South:	CC (Commercial: Community Center)	Commercial (Multi-Use Strip Center)

East:	I2 (Industrial: General) CC (Commercial: Community Center)	Single-Family Residential Commercial (Multi-Use Strip Center)
West:	I2 (Industrial: General)	Repp & Mundt Construction Company

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: I2	**Proposed Zoning: CC**
Zoning District Intent:	To provide locations for general production assembly, warehousing, research and development facilities, and similar land uses. This district is intended to accommodate most modern industrial production facilities and should be considered as appropriate for most general industrial developments and uses.	To establish appropriate locations for a variety of businesses provided a variety of goods and services to (1) community-wide consumers and (2) those who travel through or visit the area. This zoning district is not intended for use along traffic corridors, but should instead be applied at significant intersections along major transportation routes. This zoning district should be applied only to areas with adequate infrastructure and road access to accommodate moderately high traffic volumes.

Permitted Uses:	**Agricultural Uses:** • Farm (general) **Commercial/Utilities Uses** • Communication service exchange • Sewage treatment facility • Utility substation • Water tower **Public/Semi-Public Uses:** • Government facility (non-office) • Parking lot/garage (as a primary use) • Police, fire, or rescue station **Park Uses:** • Nature preserve/conservation area **Commercial Uses:** • Auto-Oriented uses (medium	**Communications/Utilities Uses:** • Communication service exchange • Utility substation • Water tower **Public/Semi-Public Uses:** • Clinic • Community Center • Day-care center (adult or child) • Funeral home • Government office • Police, fire, or rescue station • Post office • Trade or business school • Worship facility **Park Uses:** • Nature preserve/conservation area

	scale) • Builder's supply store • Conference center • Data processing/call center **Industrial Uses:** • Contractor's office/workshop • Dry cleaners (commercial) • Food and beverage production • General industrial production • Light industrial assembly & distribution • Light industrial processing & distribution • Mini-warehouse self-storage facility • Research & development facility • Truck freight terminal • Warehouse & distribution facility	• Park/playground **Commercial Uses:** • Auto-oriented uses (small scale) • Auto-oriented uses (medium scale) • Auto-oriented uses (large scale) • Auto rental (includes truck, RV, etc) • Builder's supply store • Equipment rental • Health spa • Hotel/Motel • Instructional center • Liquor store • Office uses • Personal service uses • Recreation uses (small scale) • Recreation uses (medium scale) • Restaurant • Retail uses (small scale) • Retail uses (medium scale) • Retail uses (large scale)
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	**Minimum Lot Area:** 1 acre (43,560 square feet) **Minimum Lot Width:** 100 feet **Minimum Lot Frontage:** 50 feet **Maximum Lot Coverage:** 75%	**Minimum Lot Area:** 10,000 square feet **Maximum Lot Area:** 10 Acres **Minimum Lot Width:** 50 feet **Minimum Lot Frontage:** 50 feet **Maximum Lot Coverage:** 65%

Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	**Side Yard Setback:** Primary Structure: 20 feet Accessory Structure: 20 feet **Rear Yard Setback:** Primary Structure: 20 feet Accessory Structure: 20 feet **Front Yard Setback:** Arterial Street: 50 feet Collector Street: 35 feet Local Street: 25 feet	**Side Yard Setback:** Primary Structure: 10 feet Accessory Structure: 10 feet **Rear Yard Setback:** Primary Structure: 10 feet Accessory Structure: 10 feet **Front Yard Setback:** Arterial Street: 10 feet* Collector Street: 10 feet* Local Street: 10 feet* *25 feet for any auto service bay, auto fuel pump, canopy, or other similar vehicle access points to structures.
Height Restrictions:	**Primary Structure:** 50 feet **Accessory Structure:** 40 feet	**Primary Structure:** 40 feet **Accessory Structure:** 25 feet
Floor Area Requirements:	N/A	N/A
Signs:	**Wall Signs:** 2 wall signs per public street frontage with a maximum square footage of 15% of the front walls or 350 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign per public street frontage with a maximum size of 75 square feet and a maximum height of 10 feet.	**Wall Signs:** 3 wall signs per public street frontage with a maximum square footage of 15% of the front walls or 350 square feet, whichever is less. **Freestanding Signs:** 1 freestanding sign per public street frontage with a maximum size of 100 square feet and a maximum height of 20 feet.

Interdepartmental Review:	
City Engineering:	No comments received.
City Utilities:	No comments received.
Code Enforcement:	No comments received.

Fire Department:	We have no issues at this time.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-2-9:** Preserve and enhance the character of neighborhoods. *Older neighborhoods have distinctive characteristics which should be retained. These vary from one neighborhood to another, but they include such things as smaller lots, lesser setbacks, service alleys, and a distinctive architectural style.*
2. **GOAL E-1:** Maintain and enhance the attractiveness and vitality of the city's neighborhood business areas.
3. **GOAL F-5:** Provide adequate, attractive, and safe parking facilities.

This property is located in the Columbus Central Neighborhoods character area. The following Planning Principle(s) apply to this application:

1. Neighborhood commercial uses should be allowed only in neighborhood business centers; spot commercial should not be permitted.
2. Neighborhood commercial uses should be of a scale and design compatible with the residential areas.

This property is also located in the Central Avenue Corridor Plan area. The Future Land Use Recommendations Map indicates the future use of this property as Commercial. The map further specifies the following: Commercial, retail and commercial services serving the community and/or region, may include professional office.

The Central Avenue Corridor Plan provides the following applicable goals and action steps:

1. **GOAL 2:** Preserve and enhance the character and quality of development in residential blocks.
2. **ACTION STEP 2b:** Buffer residences from commercial, industrial, and mixed-use developments and related parking lots with landscaped screens, open spaces, full cut-off light fixtures, and/or other site amenities that protect properties from potential conflicting neighboring uses.
3. **GOAL 4:** Encourage redevelopment, infill, and reconfiguration of vacant parcels.

The Central Avenue Corridor Plan also includes design principles which try to ensure the design and aesthetics of new development along the corridor. The following design principles apply: **SITE LEVEL 4:** Areas of vast amounts of parking should be screened from street view with landscape treatments.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The subject property is located approximately 415 feet south of the intersection of Cottage Avenue and 17th Street. The surrounding area has a mix of uses including industrial, commercial and residential. However, the zoning in the immediate area is predominately I2 (Industrial: General) and CC (Commercial: Community Center). Central Avenue is a mixed-use street that does feature many commercial properties in addition to industrial and residential.
2. The applicant is proposing to rezone the subject property from the I2 (Industrial: General) zoning district to the CC (Commercial: Community Center) zoning district. Although this property is zoned I2 (Industrial: General) it previously has been used as single-family residential. About a year ago, the existing single-family home was removed and gravel was laid over the entire site.
3. The Comprehensive Plan identifies the future landuse of this property as Residential. Although this property was previously used as residential, the single-family structure has been removed and would not be able to be rebuilt for residential use due to single-family residential not being a permitted use in the I2 (Industrial: General) zoning district.

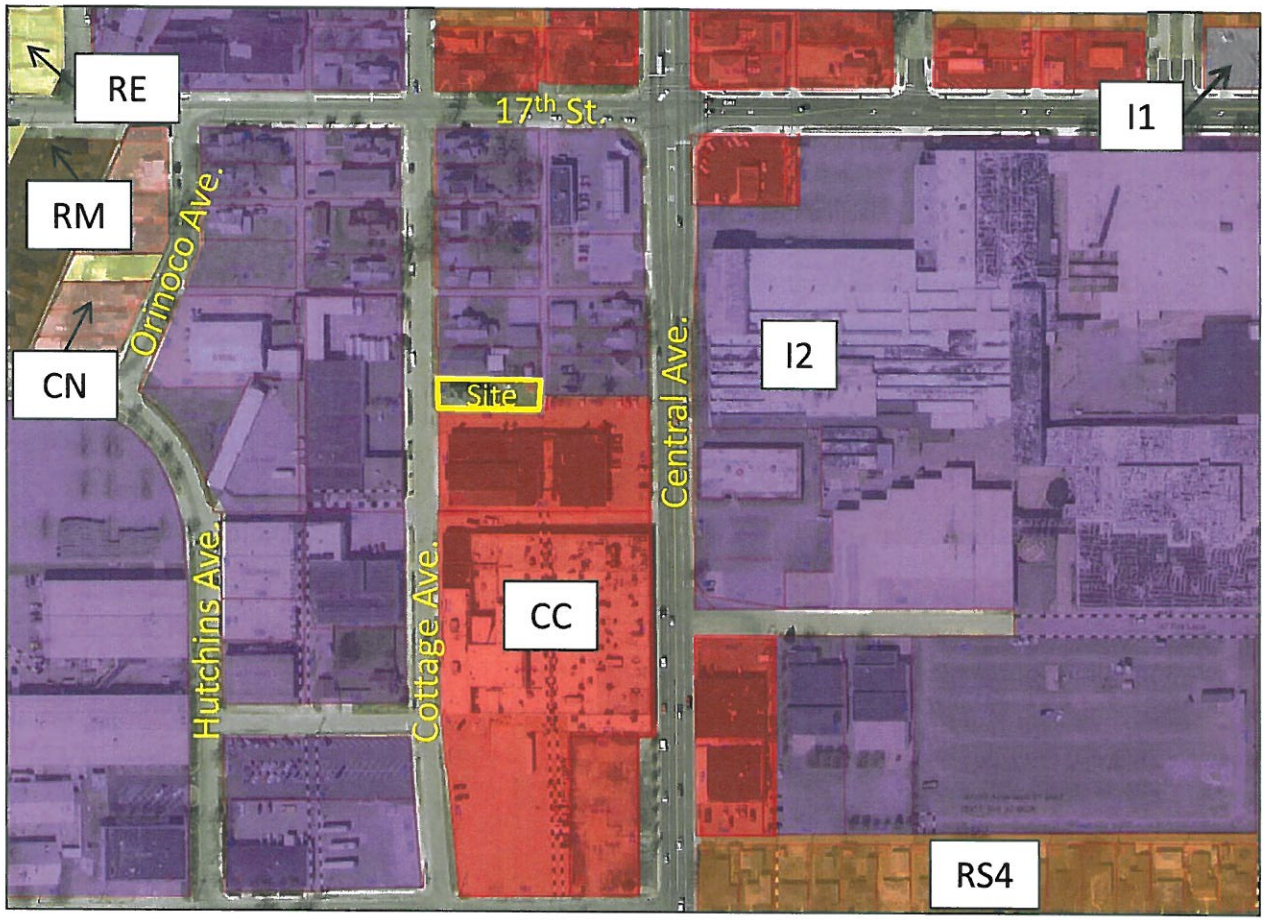
4. The subject property does not meet the minimum lot size, minimum lot frontage, or the minimum lot width for either the current I2 (Industrial: General) zoning district or the proposed CC (Commercial: Community Center) zoning district. However, with approval of this rezoning the applicant has indicated his intent is to combine the subject property with the 4.36 acre property to the south and all lot standards would be met for the CC (Commercial: Community Center) zoning district.
5. Upon approval of the rezoning, the applicant has indicated that the proposed use for the subject will be to expand the parking lot for the commercial strip center on the property to the south. A stand-alone parking lot is permitted within the I2 (Industrial: General) without any special approval. However, due to the small lot size of the subject property it would be difficult to design a parking lot that would meet all setback, drive aisle, parking space, and driveway separation requirements of Section 7.2 of the Zoning Ordinance. Therefore, to provide adequate additional parking for the adjacent property it would be more beneficial to combine the two properties.
6. In August 2013, an Administrative Subdivision (AD-13-20) was approved by the Planning Department for the two properties south of the subject property. The purpose of the subdivision was to remove the interior lot line to create one large property that totaled 4.36 acres in size. The applicant combined the properties in order to provide adequate parking for the commercial strip center and to make the entire property a more viable commercial site as a whole.
7. There are single-family residences north of the subject property along both Cottage Avenue and Central Avenue, which are all zoned I2 (Industrial: General). According to Zoning Ordinance Section 8.2(Table 8.3), a landscape buffer is not required as a result of the industrial zoning of the residential properties. Although the residential properties are zoned I2, they have always been used as single-family residential. If these properties were zoned residential a Type A buffer yard would be required if the subject property is rezoned to commercial. Per Section 8.2(D) of the Zoning Ordinance, a Type A Buffer shall include a minimum width of 25 feet in addition to the required setback of 5 feet. Therefore by providing a Type A buffer, 30 feet of the 40 foot wide lot would be occupied. Currently, other industrial and commercial properties in the adjacent area do not provide any type of landscape buffer for neighboring residential properties. However, Action Step 2b of the Central Avenue Corridor Plan states that residences should be buffered from neighboring commercial, industrial, and mixed-use developments and related parking lots with landscaped screens, open spaces, full cut-off fixtures, and/or other site amenities that protect properties from potential conflicting neighboring uses. Some sort of buffer may be beneficial to the adjacent residential properties to provide screening of an expanded parking lot on the subject property. The following table compares what the Zoning Ordinance's development standards for a parking lot if the adjacent property was zoned residential rather than industrial:

	Industrial Zoning District:	**Residential Zoning District:**
Setbacks:		
Front: *[Section 7.2(Part 4)(D)(1)]*	• 10 feet from the existing or planned right-of-way (whichever is greater).	• 10 feet from the existing or planned right-of-way (whichever is greater).
Side & Rear: *[Section 7.2(Part 4)(D)(2)]*	• 5 feet	• 5 feet
Landscaping:		
Public Street Frontage: *[Section 8.1(C)(1)]*	• For every 50 linear feet of frontage a minimum of 1 large tree or 1.25 medium tree, plus 7.5 ornamental trees or shrubs shall be provided.	• For every 50 linear feet of frontage a minimum of 1 large tree or 1.25 medium tree, plus 7.5 ornamental trees or shrubs shall be provided.
Parking Lot Interior: *[Section 8.1(C)(2)]*	• Interior landscape peninsulas or islands must be equal to 5% of the paved surface. • All required islands must be a minimum of 300 square feet in area, all required	• Interior landscape peninsulas or islands must be equal to 5% of the paved surface. • All required islands must be a minimum of 300 square

	landscaped peninsulas must be a minimum of 150 square feet in area. • A minimum of 1 large or medium tree and 6 shrubs shall be provided in the parking lot interior landscaping areas.	feet in area; all required landscaped peninsulas must be a minimum of 150 square feet in area. • A minimum of 1 large or medium tree and 6 shrubs shall be provided in the parking lot interior landscaping areas.
Buffer Yard: *[Section 8.2(Table 8.3)]*	• No buffer required.	• Type A Buffer required.
Lighting:		
[Section 9.4(E)]	• Maximum height of 25 feet and must have 90 degree cut-off fixtures with fully recessed lens covers.	• No exterior illumination can exceed 0.1 foot candles at the property line. • Maximum height of 25 feet and must have 90 degree cut-off fixtures with fully recessed lens covers.

8. Currently, the driveway accessing the adjacent property to the north runs along the north property line of the subject site. Additionally, there is a detached garage between the subject property and the existing single-family home. The driveway and the detached garage could provide some separation from the residence and the proposed commercial lot.

Property Location & Surrounding Zoning



City of Columbus – Bartholomew County
Planning Department

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MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP

DATE: October 8, 2013

RE: *RZ-13-04 (Orinoco Properties Rezoning)*

Per your request from the October 1 first reading of the Orinoco Properties rezoning for 1613 Cottage Avenue I have revised the rezoning ordinance to include a commitment to install and retain a fence along the north property line. The revised ordinance is attached.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2013

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "I2" (INDUSTRIAL: GENERAL) TO "CCc" (COMMERIAL: COMMUNITY CENTER WITH COMMITMENTS)

To be known as the: Orinoco Properties Rezoning
Plan Commission Case No.: RZ-13-04

WHEREAS, this rezoning was requested by John Counceller (Orinoco Properties) and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on September 11, 2013, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "I2" (Industrial: General) to "CCc" (Commercial: Community Center with commitments):

Lot number 38 in Marshall Taylors 4th Addition to the City of Columbus.

SECTION 2: Commitment(s)

The use and development of the subject property shall be subject to the following commitment: At the time the property is developed, including for use as a parking lot, and prior to its occupancy the property owner shall install a privacy fence extending the full length of the north property line (subject to the front yard setback from Cottage Avenue established by the Zoning Ordinance and all other applicable requirements). The fence shall be a minimum of 6 feet in height, shall be 100% opaque, and shall be constructed of wood, masonry, composite materials, or other similar products. The fence shall remain on the property until such time as the property to the immediate north is no longer used for residential purposes.

SECTION 3: Repealer

All other ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

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Planning Department

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MEMORANDUM

TO: Columbus City Council

FROM: Jeff Bergman
On behalf of the Columbus Plan Commission

DATE: September 24, 2013

RE: Columbus Subdivision Control Ordinance Amendments

Over the past several months the Planning Department has been conducting a review of the definitions sections of the City of Columbus and Bartholomew County Subdivision Control Ordinances. These are two separate documents, one for Columbus and one for Bartholomew County, with both administered by our office. We have worked closely on this effort with the end users of these ordinances - local land surveyors, the County Highway Department, the County Surveyor's Department, and the City Engineering Department.

Based on our review we are recommending significant changes to the definitions included in both subdivision control ordinances. We have also incorporated with these definitions updates two other minor Subdivision Control Ordinance changes that have been discussed by the Plan Commissions. The proposed revisions would accomplish the following:

1. Replace the existing definitions in both the city and county subdivision control ordinances with a coordinated list of clarified definitions.
2. Remove the requirement for an agriculture tract and agriculture remainder to have a minimum area of 20 acres.
3. Remove the requirement for cemetery plots to receive administrative subdivision approval.

The primary intent of the definition changes is to improve the usability and clarity of the regulations and to provide improved coordination in the way that the City and County use these terms. None of the proposed changes has the effect of increasing the amount or extent of the regulations.

The City of Columbus Plan Commission reviewed the proposed changes to the Columbus Subdivision Control Ordinance at its September 11, 2013 meeting and sent a favorable recommendation to the City Council. This matter will appear on the agenda for 1st reading at the October 1, 2013 City Council meeting. The Planning Department is facilitating a parallel process for Bartholomew County, with the County Commissioners having final authority over the same proposed changes to the Bartholomew County Subdivision Control Ordinance.

Attached for your reference are the following:

1. the proposed ordinance approving the changes,
2. the resolution certifying the favorable recommendation of the Plan Commission, and
3. an annotated version of the proposed changes, identifying the retained, deleted, and added text.

Please feel free to contact me with any questions you may have.

ORDINANCE NO.:_____, 2013

AN ORDINANCE AMENDING THE DEFINITIONS AND THE ADMINISTRATIVE SUBDIVISION PROVISIONS OF THE CITY OF COLUMBUS SUBDIVISION CONTROL ORDINANCE.

Favorably Recommended by
Columbus Plan Commission General Resolution 2013-01

WHEREAS, the current Subdivision Control Ordinance of the City of Columbus was adopted by the Columbus Common Council on December 7, 1982; and

WHEREAS, the Plan Commission, based on its experiences, has determined that certain provisions are in need of update, revision, and clarification; and

WHEREAS, the process of creating the proposed revisions to the Subdivision Control Ordinance has included opportunities for input from end-users of the document who are specifically affected by those revisions, specifically local land surveyors, the City of Columbus Engineering Department, and the Bartholomew County Surveyors Office; and

WHEREAS, these proposed revisions to the Subdivision Control Ordinance were prepared consistent with the provisions of IC 36-7-4-701(b) and for the purposed described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience and general welfare; and

WHEREAS, the Plan Commission did, on September 11, 2013, hold a public hearing consistent with the applicable requirements of Indiana Law (IC 36-7-4-604); including providing the required published notice; and

WHEREAS, the Plan Commission has made a favorable recommendation to the Columbus Common Council on the adoption of the proposed Subdivision Control Ordinance revisions.

NOW THEREFORE BE IT ORDAINED by the Columbus Common Council, as follows:

SECTION 1: Subdivision Control Ordinance Revised

The City of Columbus Subdivision Control Ordinance is revised as described below:

1. Sec. 16.08.010 Definitions: The current content of this section is deleted in its entirety and replaced with the following:

   Access Point: A driveway or other means of physical connection for the movement of vehicles between a property and an adjacent property, street or road.

   Adjacent Property Owners: The owners of property contiguous to the subject property, excluding those who are also the owners of the subject property, ignoring all intervening streams, street and railroad rights-of-way and other similar features.

   Agricultural Purpose: Farming, dairying, pasturing, agriculture, horticulture, floriculture, and animal and poultry husbandry.

   Agricultural Remainder: The portion of the parent tract that remains as the result of an Administrative Subdivision by which a new lot(s) for an existing home has been created. The building

rights are transferred to the new Administrative Lot created, leaving the Agricultural Remainder "unbuildable." The remainder does not have to be surveyed, but must have an agriculture affidavit.

Agricultural Tract: A tract created only through the Agricultural Subdivision process (possibly combined with an Administrative or Minor Subdivision on the same property) only for agriculture purposes and is therefore "unbuildable." The tract does not have to be surveyed, but must have an agriculture affidavit.

Alley: A public or private way primarily designed to provide vehicle access to the side or rear of those properties which have their principal frontage and pedestrian access on a street.

Applicant: See *petitioner*.

Approval, Administrative: An approval granted to an Administrative or Agricultural Subdivision by the Planning Director indicating that the subdivision complies with the applicable standards.

Approval, Primary: An approval (or approval with conditions) granted to a subdivision by the Commission indicating that it has determined that the subdivision complies with the applicable standards.

Approval, Secondary: An approval by the official designated by the Commission indicating that all conditions of primary approval and other applicable standards have been met.

Bicycle and Pedestrian Plan: The part of the comprehensive plan, now or hereafter adopted, which includes a roadmap for the creation of a system of bicycle and pedestrian facilities providing access to and connectivity between all areas of the City of Columbus and/or Bartholomew County.

Block: Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersection of intercepting street and railroad right-of-way, waterway or other definite barrier.

Board: The Board of Public Works and Safety of Columbus, Indiana for the City of Columbus jurisdiction and the Board of Commissioners of Bartholomew County for the Bartholomew County jurisdiction.

Board of Health: The Indiana State Board of Health.

Chord Bearing: The bearing from the start point of the curve to the end point of the curve.

Chord Distance: The distance of a line that links two points on a curve.

City Engineer: The City of Columbus City Engineer.

City: The City of Columbus, Indiana.

Closure: The process of measurement in a closed figure for a check on horizontal or vertical precision.

Columbus City Utilities: The Columbus city sewer and water utilities department primarily serving properties within the City of Columbus.

Commission: The Columbus Plan Commission or the Bartholomew County Plan Commission, with authority for the jurisdiction in which the subdivision is located.

Common Area: Land within a development which is not individually owned or dedicated to the public, but which is designed and intended for the use, enjoyment, and maintenance of the property owners within that development or other specific area.

Comprehensive Plan: A document, consistent with the requirements of the Indiana Code, which is a compilation of policy statements, goals and objectives, standards, maps, and statistical data for the physical, social, and economic development of the community.

Construction Plans: *Also referred to as Improvement Plans.* Any maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed for the subdivision in accordance with the applicable standards and as a condition of the approval of the plat.

Cost Estimate: An exhibit in association with construction plans that provides a detailed cost estimate of the individual improvements as required for a Major Subdivision.

County: Bartholomew County, Indiana.

County Engineer: The Bartholomew County Highway Engineer.

County Surveyor: The Bartholomew County Surveyor.

Covenant: A private agreement between property owners which places a restriction on the development of land through a written, recorded document.

Cul-De-Sac: A street or road with a single common ingress and egress and with a circular turn-around at the end.

Curve: A line or outline that gradually deviates from being straight for some or all of its length.

Department: The City of Columbus – Bartholomew County Planning Department or any agency officially designated as a successor thereto.

Drainage Board: The Bartholomew County Drainage Board.

Drainage Swale: A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field, diversion or other site feature.

Drainage System: Any combination of surface and/or subsurface drainage components fulfilling the drainage requirements of this Article.

Easement: A grant by a property owner, for the use by another person or entity, of any designated part of their property for a clearly specific purpose.

Easement, Access: An easement which provides access to lots, tracts or parcels of land across an adjoining parcel or parcels.

Easement, Drainage: An easement granted for the purpose of maintaining drainage. The drainage easement may include a culvert or drain which feeds into a drainage system or for drainage of runoff over an area of the property.

Easement, Landscape: An easement used specifically for the installation and maintenance of a required Landscape Buffer. See *Landscape Buffer*.

Easement, Pedestrian: An easement used specifically for the purpose of providing a public sidewalk or other pedestrian facility that could not be located in the public right-of-way.

Easement, Street Tree: An easement used specifically for the installation and maintenance of required street trees that could not planted in the public right-of-way due to substantial conflicts.

Easement, Utility: An easement used specifically for the installation and maintenance of a utility.

Engineering Department: The Columbus, Indiana City Engineer's Office.

Erosion: The wearing away of the land surface by the action of wind, water or gravity.

Erosion Control Handbook: A handbook adopted by the Board of Public Works and Safety or the County Commissioners, as applicable, detailing erosion control methods.

Fire Department: The fire department having jurisdiction over the subject property and/or the Bartholomew County Fire Inspector acting on their behalf.

Flood Protection Grade: The elevation of the regulatory flood plus two feet at any given location in the Flood Hazard Area.

Floodplain (Flood Hazard Area): The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by the regulatory flood. The flood plain includes the channel, floodway, and floodway fringe. Floodplain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration (FEMA) and/or any supplements adopted by the jurisdiction.

Floodway: The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

Floodway Fringe: Portions of the floodplain lying outside the floodway.

Frontage: The width of a lot measured along a straight line connecting the side lot lines at points where said side lot lines intersect the right-of-way line of a public or private street from which such lot has legal access. For purposes of determining compliance with minimum frontage requirements, the frontage shall be continuous on a single street.

Grading: Any stripping, cutting, filling, stockpiling or any combination thereof and shall include the land in its cut or filled condition.

Health Department: The Bartholomew County Health Department.

Improvement Plans: See C*onstruction Plans.*

Individual Sewage Disposal System: A sewage disposal system for a single parcel or structure, usually but not necessarily a septic tank filter field.

Interested Parties: Those parties who are to be notified by mail of a public hearing on a proposed subdivision of land. Interested parties shall be those parties so defined in the Plan Commission Rules of Procedure.

Jurisdiction of the Commission: The area over which the Plan Commission has authority.

Landscape Buffer: Any combination of fences, walls, hedges, shrubs, trees and other landscape materials which effectively provide a solid, dense and opaque mass, to prohibit view, absorb sound and provide site delineation. Such screen shall provide total opacity throughout the year. Landscape buffers shall comply with the definition of a "Type A Buffer" contained in the Columbus and Bartholomew County Zoning Ordinance.

Legal Access: A platted access easement or the minimum required frontage on a street.

Legal Description: A description recognized by law which definitely describes property by reference to government surveys, coordinate systems or recorded maps; a description which is sufficient to locate the property without oral testimony.

Legal Drain: Any drainage system consisting of an open drain, a tiled drain, or any- combination of the two, that is under the jurisdiction of the County drainage board as provided by **I.C. 36-9-27**.

Legend: A key located on a plat used to explain what the symbols within the drawing mean.

Location Map: *See Vicinity Map*

Lot: A parcel of land created only through the Major or Minor Subdivision process that is buildable. The label "lot" signifies the parcel has been surveyed, monumented, dedicated the required amount of right-of-way, verified as having acceptable means of sewage disposal and otherwise reviewed and found to comply with the requirements of this ordinance.

Lot, Administrative: A parcel of land documented only through the Administrative Subdivision process that is buildable. The label "administrative lot" signifies the parcel has been surveyed, monumented, and otherwise reviewed and found to comply with the requirements of this ordinance, but has not been verified as having acceptable means of sewage disposal or otherwise reviewed or had dedicated the required amount of right-of-way.

Lot Width: The distance between side lot lines as measured at and along the front setback line.

Marker or Monument: A pipe, rod, nail, or any other object which is intended to be a permanent survey point for record purposes.

No Access Notation: A notation placed on a plat or subdivision drawing indicating an area in which property access to a public right-of-way is not permitted. (Ord. No. 24, 1999, §3, 9-7-99)

Offsite: Any premises not located within the area of the property to be subdivided, whether or not such premises are in the same ownership as the property to be subdivided.

Owner: Any person, firm, corporation, or other legal entity listed in the records of the county auditor having title to land sought to be subdivided under these regulations.

Parent Tract: The buildable land from which a new lot(s) or tract(s) of land are being taken from as recorded in the Recorder's Office.

Parent Tract Remainder: The portion of the parent tract that remains as the result of a subdivision by which new lots or tracts are created through the Minor Subdivision process or as used to label future phases of a Major Subdivision. The parent tract remainder retains the original parent tract's status as a "buildable" parcel without being surveyed. The label "lot" shall not be applied to the parent tract remainder on any plat unless it has been surveyed, monumented, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the requirements of this Ordinance to the same extent as new "lots" that are created. A parent tract remainder does not need to be surveyed, but it must meet the minimum requirements of the Zoning Ordinance.

Person includes an individual, corporation, firm, partnership, association, organization or any other unit or legal entity.

Petitioner means the owner(s) of land proposed to be subdivided or his/her representative. This includes potential future owners or developers. Surveyors, designers, or other professionals involved in the project should not be considered petitioners.

Plat: The map, drawing, or plan a subdivision.

Plat Committee: The Plat Committee, appointed by the Plan Commission, consistent with its Rules of Procedure.

Plat, Final: A drawing prepared in accordance with the provisions of this ordinance, submitted for secondary approval and intended for recording.

Plat, Preliminary: A drawing indicating the proposed manner or layout of a subdivision to be submitted to the Commission for primary approval in accordance with this ordinance.

Primary Approval: Approval granted by the plan Commission to a preliminary plat.

Radius: The distance from the center of the curve to any point on the circular curve.

Regulated Drain: Any drainage system over which the county drainage board has legal control.

Relative Positional Accuracy: The value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95% confidence level.

Replat: Any change in an approved preliminary or final plat.

Right-of-Way: A strip of land, other than an easement, dedicated for public use and to be occupied or intended to be occupied by a street, pedestrian way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, drainage swale, or for another special use. The boundaries of such rights-of-way are considered to be the lot lines of adjoining property from which setback distances are measured.

Road: See *Street.*

Secondary Approval: The final approval granted to a subdivision by the commission or a designated representative. This approval authorizes the owner or agent to record the plat.

Section Corner: A corner established as part of the United States Public Land Survey System used for horizontal control in describing land.

Street: A right-of-way dedicated or otherwise legally established which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, lane, drive or other appropriate name. A street also is classified according to function as defined in the Official Thoroughfare Plan.

Street, Marginal Access: Local roads which are parallel to and separated by a limited access landscape buffer strip from arterial streets and highways. These roads provide for access to abutting property on one side only.

Street, Private: Streets which serve the same function as local streets but which are not dedicated to nor maintained by any unit of government.

Subdivider: See *Petitioner.*

Subdivision: The division of a parcel of land into two or more lots, parcels, or other similar units.

Subdivision, Administrative: Is the platting process that includes one or more of the following:

1. The removal of interior lot lines, with the outside perimeter of the property remaining unchanged, resulting in fewer parcels than were contained in the original parcel;
2. The removal or relocation of easements on the property;
3. The changing of notations written on the plat or correction of errors thereon;
4. A division of land pursuant to an allocation of land by court decree;
5. To correct errors in an existing legal description, provided that no additional building lots are created;
6. A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites are created;
7. A division or resubdivision of land for the acquisition by the public or by a utility for street right-of-way or easement; or
8. A division of a building site containing an existing dwelling which has been located on the site for at least three years from an agricultural parent tract.

Subdivision, Agricultural: Is the subdivision of land to create a parcel for agricultural purposes, not for building, which meets the following criteria:

1. All parcels, including the parent tract have legal access; and
2. The land is being divided for agricultural purpose and not for the purpose, whether immediate or future, of use, building development, or other improvement for residential, commercial, industrial, recreational or other nonagricultural purposes; and
3. Contains at least seventy-five percent Class I or Class II soils as shown in and defined by the Soil Survey of Bartholomew County; or
4. At least seventy-five percent of the land is planted with fruit-or-nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years; or
5. At least seventy-five percent of the land is planted with ornamental plants or trees for sale for use in landscaping; or
6. Has at least seventy-five percent of its area planted with trees of the species, Pinus, Picea, or Abies (pine, spruce or fir) grown for the purpose of sale as Christmas trees; or
7. Which has been used in three of the last five years for the cultivation and harvesting of crops, grazing by livestock, production of dairy products, the raising of poultry and production of eggs, or the raising of livestock.

Subdivision Benchmark: A permanent monument of known elevation, tied to the U.S.G.S. Benchmark System, installed at ground level.

Subdivision, Major: A division of land involving new streets, alleys, roads, other public infrastructure or the extension of utilities. This should not include those minor subdivisions that require the installation of sidewalks.

Subdivision, Minor: A division of land fronting an existing public right-of-way, not involving any new streets, alleys, roads, other public infrastructure (other than sidewalks), or not requiring the extension of utilities.

Subdivision Improvement Agreement: A document which establishes the contractual relationship between the developer of a subdivision and the local government of jurisdiction for the installation of improvements in accordance with the applicable standards and specifications.

Subdivision Review Committee: A committee established by the commission to assist with the technical evaluation of subdivisions and to make appropriate technical recommendations to the commission.

Subsurface Drainage: A system of pipes, tile, conduit or tubing installed beneath the ground surface used to collect ground water from individual parcels, lots or building footings.

Surface Drainage: A system by which the storm water run-off is conducted to an outlet. This would include the proper grading of parking lots, streets, driveways, yards, etc. so that storm water runoff is removed without ponding and flows to a drainage swale, open ditch or a storm sewer.

Thoroughfare Plan: The part of the comprehensive plan, now or hereafter adopted, which includes a major street and highway plan and sets forth the location, alignment, dimensions, identification, and classification of existing and proposed public streets, highways and other thoroughfares.

Tract: See *Parent Tract* or *Agricultural Tract.*
Unbuildable: A parcel of land with no building rights. To gain building rights the parcel must be surveyed, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the subdivision control requirements.

Vicinity Map: A map showing the location of a subdivision in relation to a larger area. This may include major thoroughfares related to the subdivision, nearby community facilities such as parks, schools, fire stations, etc. and adjoining property. This may also show the parent tract.

Witness Marker: A marker or monument that is set as a reference to the actual corner when it is not possible or practical to set actual corner.

Zoning Ordinance: An ordinance and maps, which divide the area within the territorial zoning jurisdiction into zoning districts. The zoning ordinance prescribes and establishes regulations and procedures for the establishment of land use controls.

2. Sec. 16.12.060 Administrative Subdivisions: 16.12.060(c)(7) regarding cemetery plots, is deleted and subsequent items are re-numbered as appropriate.

SECTION 2: Repealer

All ordinances or parts thereof in conflict with this Ordinance shall be repealed to the extent of such conflict.

SECTION 3: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of this ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 4: Effective Date

This Ordinance shall be effective upon adoption and any publication required by Indiana Law.

ADOPTED by the Common Council of the City of Columbus, Indiana this _____ day of _____, 2013 at _____ 'clock ___ .m., by a vote of _____ ayes and _____ nays.

_____
Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana the _____ day of _____, 2013 at _____ 'clock ___ .m.

_____
Kristen S. Brown
Mayor of the City of Columbus, Indiana

GENERAL RESOLUTION: 2013-01

of the Columbus, Indiana Plan Commission

regarding
the City of Columbus, Indiana Subdivision Control Ordinance
[a proposal to amend the definitions and the administrative subdivision provisions of the current Subdivision Control Ordinance (adopted December 7, 1982)]

WHEREAS, the current Subdivision Control Ordinance of the City of Columbus was adopted by the Columbus Common Council on December 7, 1982; and

WHEREAS, the Plan Commission, based on its experiences, has determined that certain provisions are in need of update, revision, and clarification; and

WHEREAS, the process of creating the proposed revisions to the Subdivision Control Ordinance has included opportunities for input from end-users of the document who are specifically affected by those revisions, specifically local land surveyors, the Bartholomew County Surveyors Office and the City of Columbus Engineering Department; and

WHEREAS, these proposed revisions to the Subdivision Control Ordinance were prepared consistent with the provisions of IC 36-7-4-701(b) and for the purposes described by IC 36-7-4-601(c); including (1) the securing of adequate light, air, convenience of access, and safety from fire, flood, and other danger; (2) lessening or avoiding congestion in public ways, and (3) promoting the public health, safety, comfort, morals, convenience, and general welfare; and

WHEREAS, the Plan Commission did, on September 11, 2013, hold a public hearing consistent with the applicable requirements of Indiana law (IC 36-7-4-604); including providing the required published notice; and

WHEREAS, the Plan Commission recognizes that its action represents a recommendation to the Board of Commissioners of Bartholomew County, Indiana, which will be responsible for final action on this request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

1) The proposed updates to the City of Columbus, Indiana Subdivision Control Ordinance described by the proposed ordinance attached and made a part of this resolution are forwarded to the Columbus Common Council with a favorable recommendation on their adoption.

2) This resolution shall serve as the certification required for the adoption of a Subdivision Control Ordinance (per IC 36-7-4-701(b) and IC 36-7-4-605).

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11 **DAY OF** September**, 2013 BY A VOTE OF** 8 **IN FAVOR AND** — **OPPOSED.**

9/11/13
Roger Lang, President

ATTEST:

David L. Fisher

Dave Fisher, Secretary

Prepared by the City of Columbus - Bartholomew County Planning Department
Jeffrey R. Bergman, AICP #014602 – Planning Director

CITY OF COLUMBUS SUBDIVISION CONTROL ORIDIANCE

CHAPTER 16.08
DEFINITIONS

Proposed Revisions: September 11, 2013

Existing Text: black
Deleted Text: ~~black strikethrough~~
New Text: **blue**

Section 16.08.010 Definitions
For the purpose of this title certain terms or words used herein shall be interpreted or defined as follows: words used in the present tense include the future tense. The term "shall" is always mandatory:

Access Point: A driveway or other means of physical connection for the movement of vehicles between a property and an adjacent property, street or road.

Adjacent Property Owners: ~~means~~ The owners of property contiguous to the subject property, excluding those who are also the owners of the subject property, ignoring all intervening streams, street and railroad rights-of-way.

Agricultural Purpose: ~~means the use of a tract of land for agricultural purposes only, including~~ Farming, dairying, pasturing, agriculture, horticulture, floriculture, and animal and poultry husbandry.

Agricultural Remainder: The portion of the parent tract that remains as the result of an Administrative Subdivision by which a new lot(s) for an existing home has been created. The building rights are transferred to the new Administrative Lot created, leaving the Agricultural Remainder "unbuildable." The remainder does not have to be surveyed, but must have an agriculture affidavit.

Agricultural Tract: A tract created only through the Agricultural Subdivision process (possibly combined with an Administrative or Minor Subdivision on the same property) only for agriculture purposes and is therefore "unbuildable." The tract does not have to be surveyed, but must have an agriculture affidavit.

Alley: A public or private way primarily designed to provide vehicle access to the side or rear of those properties which have their principal frontage and pedestrian access on a street.

Applicant: ~~means the owner(s) of land proposed to be subdivided or his representative~~. See *petitioner.*

Approval, Administrative: An approval granted to an Administrative or Agricultural Subdivision by the Planning Director indicating that the subdivision complies with the applicable standards.

Approval, Primary: An approval (or approval with conditions) granted to a subdivision by the Commission indicating that it has determined that the subdivision complies with the applicable standards.

Approval, Secondary: An approval by the official designated by the Commission indicating that all conditions of primary approval and other applicable standards have been met. ~~means the final approval granted to a subdivision by the commission or a designated representative. This approval authorizes the owner or agent to record the plat.~~

~~**Benchmark.** See **subdivision benchmark.**~~

Bicycle and Pedestrian Plan: The part of the comprehensive plan, now or hereafter adopted, which includes a roadmap for the creation of a system of bicycle and pedestrian facilities providing access to and connectivity between all areas of the City of Columbus and/or Bartholomew County.

Block: ~~means~~ Property abutting on one side of a street, and lying between the two nearest intersecting or intercepting streets, or between the nearest intersection of an intercepting street and railroad right-of-way, waterway or other definite barrier.

Board: The Board of Public Works and Safety of Columbus, Indiana for the City of Columbus jurisdiction and the Board of Commissioners of Bartholomew County for the Bartholomew County jurisdiction. ~~means the board of public works and safety of Columbus, Indiana.~~

Board of Health: ~~means~~ The Indiana State Board of Health.

~~**Building setback line** means the line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of buildings and structures and the front lot line.~~

Chord Bearing: The bearing from the start point of the curve to the end point of the curve.

Chord Distance: The distance of a line that links two points on a curve.

City Engineer: The City of Columbus City Engineer.

City: ~~means~~ The City of Columbus, Indiana.

Closure: The process of measurement in a closed figure for a check on horizontal or vertical precision.

Columbus City Utilities: The Columbus city sewer and water utilities department, primarily serving properties within the City of Columbus. ~~means the Columbus city utilities of the city. Officers of the city utilities are the director, who is the chief administrative officer, and such other officers as shall, from time to time, be appointed by the Columbus city utilities.~~

Commission: The Columbus Plan Commission or the Bartholomew County Plan Commission, with authority for the jurisdiction in which the subdivision is located. ~~means the Columbus Plan Commission.~~

Common Area: Land within a development which is not individually owned or dedicated to the public, but which is designed and intended for the use, enjoyment, and maintenance of the property owners within that development or other specific area.

Comprehensive Plan: A document, consistent with the requirements of the Indiana Code, which is a compilation of policy statements, goals and objectives, standards, maps, and statistical data for the physical, social, and economic development of the community. ~~means the complete plan or any of its parts for the development of the city and its extraterritorial jurisdictional area adopted in accordance with the 500 Series of the Indiana Code as is now or may hereafter be in effect.~~

Construction Plans: *Also referred to as Improvement Plans.* Any maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed for the subdivision in accordance with the applicable standards and as a condition of the approval of the plat.

Cost Estimate: An exhibit in association with construction plans that provides a detailed cost estimate of the individual improvements as required for a Major Subdivision.

County: Bartholomew County, Indiana.

County Engineer: The Bartholomew County Highway Engineer.

County Surveyor: ~~means~~ The Bartholomew County surveyor.

Covenant: A private agreement between property owners which places a restriction on the development of land through a written, recorded document. ~~means a written promise or pledge~~.

Cul-De-Sac: A street or road with a single common ingress and egress and with a circular turn-around at the end.

Curve: A line or outline that gradually deviates from being straight for some or all of its length.

Department: The City of Columbus – Bartholomew County Planning Department or any agency officially designated as a successor thereto. ~~means the Columbus planning department of the city. Officers of the department are the plan director, who is the chief administrative officer, and such other officers as shall, from time to time, be appointed by the department~~.

~~**Developer** means any individual subdivider, firm, association syndicate, partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.~~

Drainage Board: The Bartholomew County Drainage Board.

Drainage Swale: ~~means~~ A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field, diversion or other site feature.

Drainage System: ~~means~~ Any combination of surface and/or subsurface drainage components fulfilling the drainage requirements of this Article.

Easement: A grant by a property owner, for the use by another person or entity, of any designated part of their property for a clearly specific purpose. ~~means a grant by the property owner of the use of a strip of land by the public, a corporation or persons, for specified purposes.~~

Easement, Access: An easement which provides access to lots, tracts or parcels of land across an adjoining parcel or parcels.

Easement, Drainage: An easement granted for the purpose of maintaining drainage. The drainage easement may include a culvert or drain which feeds into a drainage system or for drainage of runoff over an area of the property.

Easement, Landscape: An easement used specifically for the installation and maintenance of a required Landscape Buffer. See *Landscape Buffer.*

Easement, Pedestrian: An easement used specifically for the purpose of providing a public sidewalk or other pedestrian facility that could not be located in the public right-of-way.

Easement, Street Tree: An easement used specifically for the installation and maintenance of required street trees that could not planted in the public right-of-way due to substantial conflicts.

Easement, Utility: An easement used specifically for the installation and maintenance of a utility.

Engineering Department: The Columbus, Indiana City Engineer's Office. ~~means the engineering department of the city. Officers of the department are the city engineer, who is the chief administrative officer, and such other officers as shall, from time to time, be appointed by the engineering department.~~

Erosion: ~~means~~ The wearing away of the land surface by the action of wind, water or gravity.

Erosion Control Handbook: A handbook adopted by the Board of Public Works and Safety or the County Commissioners, as applicable, detailing erosion control methods.

Fire Department: ~~means the fire department of the city. Officers of department are the fire chief, who is the chief administrative officer, and such other officers as shall, from time to time, be appointed by the fire department.~~ The fire department having jurisdiction over the subject property and/or the Bartholomew County Fire Inspector acting on their behalf.

Flood Protection Grade: The elevation of the regulatory flood plus two feet at any given location in the Flood Hazard Area.

Floodplain (Flood Hazard Area): The relatively flat area or low land adjoining the channel of a river or stream which has been or may be covered by the regulatory flood. The flood plain includes the channel, floodway, and floodway fringe. Floodplain boundaries are to be determined by using the Floodway-Flood Boundary Maps of the Federal Insurance Administration/Federal Emergency Management Administration (FEMA) and/or any supplements adopted by the jurisdiction. ~~means a flood prone area for which floodway data is unavailable.~~

Floodway: The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream. ~~means that area covered by floodwaters in significant downstream motion during the occurrence of the one-hundred-year flood; or areas which are covered by significant volumes of stored flood waters.~~

Floodway Fringe: Portions of the floodplain lying outside the floodway. ~~means that area within the flood hazard area yet outside of the floodway. High quality data on flood profiles are available for these areas.~~

~~**Flood hazard area** means any floodplain, floodway, floodway fringe district or any combination thereof as illustrated on the flood boundary and floodway map prepared by the Federal Insurance Agency. This is the area covered by floodwater during a "one-hundred-year flood."~~

Frontage: The width of a lot measured along a straight line connecting the side lot lines at points where said side lot lines intersect the right-of-way line of a public or private street from which such lot has legal access. For purposes of determining compliance with minimum frontage requirements, the frontage shall be continuous on a single street.

Grading: ~~means~~ Any stripping, cutting, filling, stockpiling or any combination thereof and shall include the land in its cut or filled condition.

Health Department: The Bartholomew County Health Department.

Improvement Plans: ~~**or drawings** means the maps, drawings and text accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of this chapter as a condition of the approval of the plat.~~ See *Construction Plans.*

Individual Sewage Disposal System: A sewage disposal system for a single parcel or structure, usually but not necessarily a septic tank filter field.

Interested Parties: Those parties who are to be notified by mail of a public hearing on a proposed subdivision of land. Interested parties shall be those parties so defined in the Plan Commission Rules of Procedure.

Jurisdiction of the Commission: The area over which the Plan Commission has authority. ~~means the area within the corporate limits of the city and any other territory within two miles of the corporate boundary over which the commission has assumed jurisdiction in accordance with Indiana law.~~

Landscape ~~screen~~ Buffer: ~~means~~ Any combination of fences, walls, hedges, shrubs, trees and other landscape materials which effectively provide a solid, dense and opaque mass, to prohibit view, absorb sound and provide site delineation. Such screen shall provide total opacity throughout the year. Landscape screens shall comply with the definition of a "Type A Buffer" contained in the Columbus and Bartholomew County Zoning Ordinance.

Legal Access: A platted access easement or the minimum required frontage on a street.

Legal Description: A description recognized by law which definitely describes property by reference to government surveys, coordinate systems or recorded maps; a description which is sufficient to locate the property without oral testimony.

Legal Drain: Any drainage system consisting of an open drain, a tiled drain, or any- combination of the two, that is under the jurisdiction of the County drainage board as provided by I.C. 36-9-27.

Legend: A key located on a plat used to explain what the symbols within the drawing mean.

Location Map: *See Vicinity Map*

~~**Limited access R.O.W.** means a right-of-way which has restrictions on access to and from the adjacent properties.~~

Lot: A parcel of land created only through the Major or Minor Subdivision process that is buildable. The label "lot" signifies the parcel has been surveyed, monumented, dedicated the required amount of right-of-way, verified as having acceptable means of sewage disposal and otherwise reviewed and found to comply with the requirements of this ordinance. ~~for the purpose of these regulations, is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved street, or on an approved place~~.

Lot, Administrative: A parcel of land documented only through the Administrative Subdivision process that is buildable. The label "administrative lot" signifies the parcel has been surveyed, monumented, and otherwise reviewed and found to comply with the requirements of this ordinance, but has not been verified as having acceptable means of sewage disposal or otherwise reviewed or had dedicated the required amount of right-of-way.

~~**Lot frontage** means the linear distance of a lot measured at and along the front lot line where the lot abuts a street or place.~~

Lot Width: ~~means~~ The distance between side lot lines as measured at and along the front setback line.

Marker or Monument: A pipe, rod, nail, or any other object which is intended to be a permanent survey point for record purposes.

~~**Mulching** means the application of plant or other suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.~~

No Access Notation: ~~means~~ A notation placed on a plat or subdivision drawing indicating an area in which property access to a public right-of-way is not permitted.

Offsite: Any premises not located within the area of the property to be subdivided, whether or not such premises are in the same ownership as the property to be subdivided.

Owner ~~(legal title)~~: Any person, firm, corporation, or other legal entity listed in the records of the county auditor having title to land sought to be subdivided under these regulations. ~~means the person(s) listed in the most recent official records of the township or county assessor.~~

Parent Tract ~~or property~~: The buildable land from which a new lot(s) or tract(s) of land are being taken from as recorded in the Recorder's Office. ~~means the land from which the new lot or tract of land is being taken, as recorded in the recorder's office at the time of adoption of this chapter or appropriate previous ordinance or amendment.~~

Parent Tract Remainder: The portion of the parent tract that remains as the result of a subdivision by which new lots or tracts are created through the Minor Subdivision process or as used to label future phases of a Major Subdivision. The parent tract remainder retains the original parent tract's status as a "buildable" parcel without being surveyed. The label "lot" shall not be applied to the parent tract remainder on any plat unless it has been surveyed, monumented, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the requirements of this Ordinance to the same extent as new "lots" that are created. A parent tract remainder does not need to be surveyed, but it must meet the minimum requirements of the Zoning Ordinance.

Person: ~~includes~~ An individual, corporation, firm, partnership, association, organization or any other unit or legal entity.

Petitioner: ~~means~~ The owner(s) of land proposed to be subdivided or his/her representative. This includes potential future owners or developers. Surveyors, designers, or other professionals involved in the project should not be considered petitioners.

~~**Plan, Sketch.** "Sketch plan" means an informal sketch developed prior to the preparation of the preliminary plat.~~

Plat: The map, drawing, or plan a subdivision. ~~means a map indicating the subdivision or resubdivision of land, and intended to be recorded in the Bartholomew County recorder's plat books.~~

Plat Committee: ~~means a committee appointed by the commission to review and act upon minor plats.~~ The Plat Committee, appointed by the Plan Commission, consistent with its Rules of Procedure.

Plat, Final: ~~"Final plat" means~~ A drawing prepared in accordance with the provisions of this ordinance, submitted for secondary approval and intended for recording.

~~**Plat, Minor**. See **minor plat (subdivision).**~~

Plat, Preliminary: ~~"Preliminary plat" means~~ A drawing indicating the proposed manner or layout of a subdivision to be submitted to the Commission for primary approval in accordance with this ordinance.

Primary Approval: ~~means~~ Approval granted by the Commission to a preliminary plat. ~~The primary approval shall include all conditions needed to bring the plat into conformance with this ordinance.~~

~~**Primary plat approval** means primary approval.~~

Radius: The distance from the center of the curve to any point on the circular curve.

Regulated Drain: ~~means~~ Any drainage system over which the county drainage board has legal control.

Relative Positional Accuracy: The value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95% confidence level.

~~**Resubdivision or**~~ **Replat:** Any change in an approved preliminary or final plat. ~~means any change in a map of a recorded subdivision plat affecting any street layout, easement, area reserved for public use, lot line, or affecting any map or plan legally recorded prior to the adoption of any regulations controlling subdivision. A replat shall be considered a minor plat, provided, that no new streets or roads or utility~~

~~extensions are required. If streets or utility extensions are required then the plat shall be considered a major subdivision of land.~~

Right-of-Way: A strip of land, other than an easement, dedicated for public use and to be occupied or intended to be occupied by a street, pedestrian way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, drainage swale, or for another special use. The boundaries of such rights-of-way are considered to be the lot lines of adjoining property from which setback distances are measured.

Road: See *Street*.

Secondary Approval: The final approval granted to a subdivision by the Commission or a designated representative. This approval authorizes the owner or agent to record the plat.

Section Corner: A corner established as part of the United States Public Land Survey System used for horizontal control in describing land.

Street: A right-of-way dedicated or otherwise legally established which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, lane, drive or other appropriate name. A street also is classified according to function as defined in the Official Thoroughfare Plan. ~~means a right-of-way dedicated or otherwise legally established for public use, which affords the principal means of access to abutting property. A street may be designated as a highway, thoroughfare, parkway, boulevard, road, avenue, lane, drive or other appropriate name. A street may also be classified according to function as follows:~~

~~A. Freeways/expressways are limited-access highways which carry large volumes of traffic and have more importance regionally than locally. They often contain four or more moving lanes and permit a continuous high-speed traffic flow. These highways have a high order of design and construction requirements.~~

~~B. Arterials are high capacity/high volume thoroughfares. They provide access to and through the city. The main function of these roads is mobility, not access to property. Three different types of arterials are classified for the purposes of this title. They are: primary arterials, secondary arterials and one-way arterials.~~

~~C. Collector roads function as a collection and distribution system. These medium-volume and capacity roads collect and distribute traffic to and from neighborhood areas to arterial roads and/or activity centers. Mobility has a much higher priority than access to property on these roads.~~

~~D. Local roads are low capacity and low speed roads whose function is to provide access to homes and property. Through traffic and heavy use of these roads should be discouraged. To the extent possible, residential driveways and ingress and egress points to other uses or structures should be oriented to the local roads rather than to arterials or collectors.~~

~~E. Marginal access streets are local roads which are parallel to, and separated by a limited access landscape buffer strip from arterial streets and highways. These roads provide for access to abutting property on one side only.~~

~~F. Cul-de-sac street is a local road with only one outlet, having a paved, circular turn-around area at the closed end.~~

~~G. Alley is a minor way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.~~

Street, Marginal Access: Local roads which are parallel to and separated by a limited access landscape buffer strip from arterial streets and highways. These roads provide for access to abutting property on one side only.

Street, Private: Streets which serve the same function as local streets but which are not dedicated to nor maintained by any unit of government.

Subdivider: See *Petitioner* ~~Developer.~~

Subdivision: The division of a parcel of land into two or more lots, parcels, or other similar units. ~~means the division of land by deed or other recorded instrument. A subdivision shall be deemed to have occurred on any land, vacant or improved, which is divided into two or more lots, parcels, sites, units, plots or interests for the purpose of offer, sale, lease, mortgage or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision and the granting of access easements. However, this regulation shall not apply to the following:~~

~~A. An allocation of land by a court decree for the distribution of property;~~

~~B. The unwilling sale of land as a result of legal condemnations as defined and allowed in the Indiana State Law.~~

Subdivision, Administrative: ~~means and~~ Is the platting process that includes one or more of the following:

A. ~~A resubdivision which involves only~~ The removal of interior lot lines, with the outside perimeter of the property remaining unchanged, resulting in fewer parcels than were contained in the original parcel;
B. ~~A resubdivision which involves only~~ The removal or relocation of easements on the property;
C. ~~A resubdivision which involves only~~ The changing of notations written on the plat or correction of errors thereon;
D. A division of land pursuant to an allocation of land by court decree;
~~E. The division of land into cemetery plots;~~
F. ~~A resubdivision~~ To correct errors in an existing legal description, provided that no additional building lots are created;
G. A division of land for the sale or exchange of tracts between adjoining land owners, provided that no additional building sites are created;
H. A division or resubdivision of land for the acquisition by the public or by a utility for street right-of-way or easement.
I. A division of a building site containing an existing dwelling which has been located on the site for at least three years from an agricultural parent tract.

Subdivision, Agricultural: Is the subdivision of land to create a parcel for agricultural purposes, not for building, which meets the following criteria: ~~means a subdivision of land into two or more parcels which meets the following criteria:~~

A. All parcels, including the parent tract have legal access; and
B. The land is being divided for agricultural purpose and not for the purpose, whether immediate or future, of use, building development, or other improvement for residential, commercial, industrial, recreational or other nonagricultural purposes; and
~~C. Is at least twenty acres in size; and~~
D. Contains at least seventy-five percent Class I or Class II soils as shown in and defined by the Soil Survey of Bartholomew County; or
E. At least seventy-five percent of the land is planted with fruit-or-nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years; or
F. At least seventy-five percent of the land is planted with ornamental plants or trees for sale for use in landscaping; or
G. Has at least seventy-five percent of its area planted with trees of the species, Pinus, Picea, or Abies (pine, spruce or fir) grown for the purpose of sale as Christmas trees; or
H. Which has been used in three of the last five years for the cultivation and harvesting of crops, grazing by livestock, production of dairy products, the raising of poultry and production of eggs, or the raising of livestock.

Subdivision Benchmark: ~~means~~ A permanent monument of known elevation, tied to the U.S.G.S. Benchmark System, installed at ground level.

Subdivision, Major: A division of land involving new streets, alleys, roads, other public infrastructure or the extension of utilities. This should not include those minor subdivisions that require the installation of sidewalks. ~~means all subdivisions other than those subdivisions meeting the applicability requirements set forth in section 16.12.020 (minor plat applicability) or the definition of "administrative subdivision" or "agricultural subdivision".~~

Subdivision, Minor: A division of land fronting an existing public right-of-way, not involving any new streets, alleys, roads, other public infrastructure (other than sidewalks), or not requiring the extension of utilities. ~~means a minor plat.~~

Subdivision Improvement Agreement: ~~means~~ A document which establishes the contractual relationship between the developer of a subdivision and the local government of jurisdiction ~~city~~ for the installation of improvements in accordance with the standards and specifications ~~set forth in this title~~.

~~**Major plat** means a major subdivision.~~

~~**Minor plat** means a division of land fronting an existing public right-of-way, not requiring any new streets, alleys, roads or opening of a new public right-of-way, not requiring the extension of utilities and which complies in all other respects with this subdivision control ordinance and the zoning ordinance of the city.~~

Subdivision Review Committee: ~~means~~ A committee established by the Commission to assist with the technical evaluation of subdivisions and to make appropriate technical recommendations to the Commission~~, plat committee and department~~.

Subsurface Drainage: ~~means~~ A system of pipes, tile, conduit or tubing installed beneath the ground surface used to collect ground water from individual parcels, lots or building footings.

Surface Drainage: ~~means~~ A system by which the stormwater runoff is conducted to an outlet. This would include the proper grading of parking lots, streets, driveways, yards, etc., so that the stormwater runoff is removed without ponding and flows to a drainage swale, open ditch or a storm sewer.

~~**Thoroughfare ordinance** means an ordinance established by the common council of the city, showing the location of roads, functional classification and the design standards for such roads.~~

Thoroughfare Plan ~~(official)~~: ~~means~~ The part of the comprehensive plan, now or hereafter adopted, which includes a major street and highway plan and sets forth the location, alignment, dimensions, identification, and classification of existing and proposed public streets, highways and other thoroughfares.

Tract: See *Parent Tract* or *Agricultural Tract*.

Unbuildable: A parcel of land with no building rights. To gain building rights the parcel must be surveyed, verified as having acceptable means of sewage disposal, and otherwise reviewed and found to comply with the subdivision control requirements.

Vicinity Map: ~~means~~ A map showing the location of a subdivision in relation to a larger area. This may include major thoroughfares related to the subdivision, nearby community facilities such as parks, schools, fire stations, etc., ~~zoning on the site~~ and adjoining property. This may also show the parent tract.

~~**Zone A** means floodplain.~~

Witness Marker: A marker or monument that is set as a reference to the actual corner when it is not possible or practical to set actual corner.

Zoning Ordinance: ~~means~~ An ordinance and maps which divide the area within the territorial zoning jurisdiction ~~of the city,~~ into zoning districts. The zoning ordinance prescribes and establishes regulations and procedures for the establishment of land use controls.

RESOLUTION NO.____, 2013

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS TO DESIGNATE SPECIFIC CAPITAL IMPROVEMENT PROJECTS AS THE 2014 CAPITAL BUDGET

WHEREAS, on October 1, 2013, the Common Council of the City of Columbus (the "Council") adopted Ordinance __-2013 approving Appropriations and Tax Rates for 2014 (the "2014 Budget");

WHEREAS, pursuant to Columbus City Ordinance 3.08.030 and 3.08.040, the Mayor after receiving input from the City's Capital Improvements' Committee has submitted for review and approval by the Council a Capital Budget for 2014 by designating the projects, estimated cost, and the source from which funds are available as described, set forth and hereinafter incorporated by reference as the attached Exhibit "A";

WHEREAS, the Council desires to approve the capital improvement projects as set forth in Exhibit "A" as the Capital Budget for 2014;

WHEREAS, the Council recognizes that the individual project costs set forth in Exhibit "A" are estimates only;

WHEREAS, the Council recognizes that the Capital Budget for 2014 is subject to available appropriations whether as part of the 2014 Budget or additional appropriations by the Council when necessary; and

WHEREAS, the Capital Budget for 2014 as set forth in Exhibit "A" shall be considered an addendum to the 2014 Budget pursuant to Columbus City Ordinance 3.08.030.

NOW THEREFORE BE IT RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT the capital improvement projects identified in Exhibit "A" in description and amount are hereby adopted as the Capital Budget for 2014 pursuant to Columbus City Ordinance 3.08.030 and considered an addendum to the 2014 Budget. It is further declared by the Council that Exhibit "A" represents the only approved and designated capital improvement projects to be funded by the City's 2014 budget unless modified by a resolution of the Council.

NOW THEREFORE BE IT FURTHER RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT additional approval from the Council for any of the designated capital improvement projects identified in the attached Exhibit "A" is required prior to the expenditure of any funds should the actual cost of that specific project as identified in the attached Exhibit "A" herein exceed the greater of (i) 105% of the estimated project cost or (ii) the estimated project cost plus $5,000.

ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA, on this the _____day of_____, 2013, by a vote of_____ayes and_____nays.

_____
Kristen S. Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

_____
Luann Welmer
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this_____day Of_____, 2013, at_____o'clock_____.M.

_____
Luann Welmer
Clerk-Treasurer

Approved and signed by me this_____day of_____, 2013, at _____o'clock_____.M.

_____
Kristen S. Brown
Mayor of the City of Columbus, Indiana

Exhibit "A"

2014 Capital Improvements Project List

EDIT (Budgeted $2.6m)	
Police Vehicle Lease	$ 108,249
Police Vehicles and cameras	$ 486,000
Radar Trailer - Police	$ 10,000
Firing Range Upgrade	$ 15,000
Staff vehicles - Fire	$ 60,000
Defibs for ALS appartus	$ 280,000
Washer for turn out gear - Fire	$ 20,000
	$ 979,249
Cumulative Capital Improvement Fund (Budgeted $93,000)	
Police Software Maintenance	$ 78,000
Updating audio/visual equipment - City Hall	$ 15,000
	$ 93,000
General Fund Capital Improvement (Budgeted $1,804,940)	
Lift for Public Safety Garage	$ 45,000
Tech rescue equipment - Fire	$ 5,000
VMware upgrades	$ 50,000
Automated toter truck	$ 260,000
Single axle truck with snow plow	$ 150,000
Packer Truck	$ 155,000
(2) Chipper Trucks	$ 180,000
Equipment Trailer	$ 7,000
2 ton flat bed truck	$ 85,000
Flail mower	$ 30,000
Leaf collector	$ 47,000
Brush Chipper	$ 60,000
Welder	$ 10,000
Clerk-Treasurer Envelope Sealer	$ 11,000
Park Capital (Projects TBD)	$ 434,940
Road Overlay	$ 200,000
Miscellaneous (small capital expenditures)	$ 75,000
	$ 1,804,940
Cumulative Capital Development Fund (Budgeted $750,000)	
FFY Bond Payment	$ 337,000
Engineering Traffic Signs and Signals	$ 100,000
Engineering Sidewalk Improvements	$ 60,000
Engineering Streetlights	$ 25,000
Parks Prior Year Lease Payments	$ 86,600
Pictometry	$ 20,000
Vehicle - Engineering	$ 25,000
Pick up truck	$ 30,000
Arrow board	$ 9,000
Equipment trailer	$ 7,000
Animal Care HVAC Improvements	$ 50,000
	$ 749,600
Transit Budget	
Mobile Equipment	$ 94,000
	$ 94,000
Thoroughfare Fund	
Indiana Ave	$ 1,660,000
City Share of collectors	$ 300,000
Misc Pedestrian Crossings	$ 50,000
	$ 2,010,000

ORDINANCE NO. __, 2013

AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2013

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the Mayor to address the City's requirement to make its PERF payments every pay period instead of at the end of the quarter as determined by PERF; and

WHEREAS, it is necessary to appropriate additional funds from the Common Operating Non-Reverting in the amount of $5,166.75 to accommodate the additional PERF payment that occurred in 2013 as required by PERF and to make its PERF payments every pay period instead of at the end of the quarter; and

WHEREAS, there are additional funds in the amount of $5,166.75 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of Five Thousand One Hundred Sixty-Six Dollars and 75/100 ($5,166.75) shall be paid during the 2013 budget year and the same is hereby appropriated and ordered to be paid from the Commons Operating Non-Reverting Fund for the City of Columbus, Indiana to accommodate the additional PERF payment that occurred in 2013 as required by PERF and to make its PERF payments every pay period instead of at the end of the quarter.

BE IT FURTHER ORDAINED, that the above additional appropriations shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2013 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

_____

Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2013 at _____ o'clock P.M.

_____
Kristen Brown
Mayor, City of Columbus, Indiana