

# TOWN OF DANVILLE

## Town Council Agenda July 1, 2020 @ 7:00 PM

- I. Establish Quorum, Call Meeting to Order**
- II. Pledge of Allegiance**
- III. Approval of Minutes**
- IV. Public Comment – 3 minutes/person**
- V. Public Meeting**
  - A. Proclamation: Council President will honor Hendricks Regional Health**
  - B. Ordinance 14-2020: Text Amendment to Zoning Ordinance – Town Planner**
  - C. Ordinance 18-2020: Ordinance to Amend Fee Schedule – Town Planner**
  - D. Ordinance 19-2020: Ordinance to Amend Parking on Square – Town Manager**
  
- VI. Staff and Council Comments \*\*May include any committees or boards that you have been assigned to sit on as a member of the Council\*\***
- VII. Claim Docket**
- VIII. Adjournment**

**NOTICE:** The public meetings of the Danville Town Council conducted within these chambers shall be video recorded. Said recording will be part of the public records of the Town of Danville and shall be published upon the Town of Danville's website for public access. All individuals attending public meetings hereby given to the Town of Danville, their permission for said publication, which may contain their image or statements.

Online Town Council Packet: [https://www.danvilleindiana.org/egov/documents/1555032505\\_34549.pdf](https://www.danvilleindiana.org/egov/documents/1555032505_34549.pdf)

## TOPIC SUMMARY

- A. Proclamation:** Council President will present a proclamation to honor Hendricks Regional Health and their CEO Kevin Speer for the way they responded to the COVID-19 Pandemic
- B. Ordinance 14-2020: Text Amendment to Zoning Ordinance** – This was introduced on 6/17/20. It is up for adoption. *Will require a Vote for Approval.*
- C. Ordinance 18-2020: Ordinance to Amend the Fee Schedule** – Town Planner and Parks Superintendent are adding fees to the Town Fee Schedule. Ordinance 11-2020 just amended the schedule. However, certain fees were left off. This ordinance makes the necessary additions. This is up for first read. *Council may table until 7/15/20 or suspend the rules and pass tonight. Staff request this be passed tonight so it can be advertised and put into effect.*
- D. Ordinance 19-2020: Ordinance to Amend Parking on the Square** – In 2009, the no parking area in question was reduced to 27 feet. Unfortunately, this allows vehicles to park over the crosswalk and block the ADA ramps. Town manager would like to rectify the problem by pushing no parking back to 39 feet. This up for first read. *Council may table until 7/15/20 or suspend the rules and pass tonight. Staff request this be passed tonight so it can be advertised and put into effect.*

**-Bold Agenda Item**

*-Italicized items are for action needed*



# *Proclamation*

## *Hendricks Regional Health*

*WHEREAS: the citizens of Danville rely on Hendricks Regional Health and their services to our community where public health is critical to sustaining and improving the Community and;*

*WHEREAS: their quick response during a national pandemic with stretched resources, redeployed Physicians and staff to the front lines to combat the fight against the COVID-19 pandemic and;*

*WHEREAS: the Town of Danville is honored to celebrate Hendricks Regional Health and the men and women who are on the front lines working tirelessly to help others in their greatest time of need especially during this period when our town and country are in the throes of the COVID-19 pandemic and;*

*WHEREAS: the Town of Danville recognizes that all the hardworking people who make up Hendricks Regional Health deserve universal regard and appreciation for keeping our community healthy and safe;*

*AND urge residents to express their appreciation for the dedicated people, facilities, and technologies that make reliable health care possible in our community.*

*IN WITNESS WHEREOF, we have hereunto set our hand and caused the Seal of the Town of Danville, Indiana to be affixed this 1st day of July, the year of two thousand and twenty.*

*NOW, THEREFORE, be it proclaimed that by virtue of the authority vested in the Town Council of the Town of Danville in the state of Indiana do hereby proclaim thanks and recognition to the entire staff of Hendricks Regional Health.*

*In witness whereof, we have hereunto set our hands and cause the seal of the Town of Danville to be affixed this 1<sup>st</sup> day of July in the year of our Lord two thousand and twenty.*

*Signed:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ORDINANCE No. 14-2020**

**AN ORDINANCE AMENDING THE TEXT OF  
THE ZONING ORDINANCE OF THE TOWN OF DANVILLE**

**Whereas**, on August 9, 2000 the Town Council of Danville adopted Ordinance No. 13-2000 which provides for the administration, enforcement, and amendment of zoning regulations in the Town of Danville; and

**Whereas**, the Town Council of Danville deems it necessary to amend said ordinance for the purpose of promoting the general health, welfare, and safety of the citizens of the Town of Danville; and

**Whereas**, the Danville Plan Commission has given public notice of the hearing on these text amendments and a public hearing was held in accordance with state law.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF DANVILLE, INDIANA THAT** Ordinance No. 13-2000 be amended as follows:

**Subsection 4.3 B.1.a. shall be amended to read:**

Area. Accessory structures shall not exceed a combined total of ten percent (10%) of the area of the lot/parcel.

**Subsection 4.3 B.3. shall be removed:**

Accessory uses shall be limited to three (3) structures in residential districts.

Duly passed and adopted by the Danville Town Council, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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\_\_\_\_\_  
\_\_\_\_\_

Constituting a Majority of the  
Danville Town Council

Attested By:

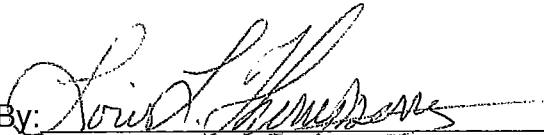
\_\_\_\_\_  
Clerk-Treasurer

# **CERTIFICATION OF ZONING ORDINANCE AMENDMENTS**

**To: Danville Town Council**  
**From: Danville Plan Commission**  
**Date: June 8, 2020**  
**Re: Zoning Ordinance Text Amendment**

On June 8, 2020, the Danville Plan Commission conducted a public hearing on the proposed text amendments to the Danville Zoning Ordinance. After the public hearing, the Plan Commission voted to favorably recommend to the Danville Town Council that it adopt the proposed Zoning Ordinance text amendment. Having complied with the applicable statutory procedures, the Plan Commission hereby certifies this proposal and its subsequent recommendation to adopt this Ordinance is forwarded to the Town Council.

Danville Plan Commission

By:   
Loris L. Thompson, President

By:   
Barry A. Lofton, Secretary

#### 4.3 ACCESSORY USES

A. Uses Considered to be Accessory Uses. For the purpose of this Ordinance, accessory uses will be referred to in Sections 7 through 9 of this Ordinance. Accessory uses are generally permitted in all zoning districts, provided they meet all provisions set forth in this Ordinance.

#### B. General Provisions

##### 1. Bulk Requirements

The accessory use shall be clearly subordinate in height, area, bulk, extent, and purpose to the principal use, and shall not exceed the following:

a) Area. ~~No accessory structure shall be greater than fifty percent (50%) of the square foot area of the principal structure or no greater than 1000 square feet, whichever is less.~~ Accessory structures shall not exceed a combined total of 10% of the area of any lot/parcel.

Commented [LT1]: Remove text - strikethrough  
Add text - red

b) Yard Depths. In any residential district except for the R2C district, an accessory building may be located no closer to a side lot line than six (6) feet, no closer to the rear lot line than ten (10) feet, and no closer to the front lot line than the front building line of the principal building.

In R2C districts, an accessory building may be located no closer to a side lot line than three (3) feet, no closer to the rear lot line than three (3) feet and no closer to the front lot line than the front building line of the principal building.

In all other districts, accessory uses must follow the minimum setbacks required by all structures in the district in which they are located.

c) Height. No accessory structure shall exceed the maximum height of fifteen (15) feet or the height of the principal structure, whichever is less.

2. The accessory use shall be operated and maintained under the same ownership and on the same lot as the principal use.

3. ~~Accessory uses shall be limited to three (3) structures in residential districts.~~

Commented [LT2]: Remove

4. An accessory use shall not be permitted prior to the erection and operation of a principal use unless a Temporary Improvement Location Permit is issued as per Section 18 of this Ordinance.

**ORDINANCE NO. 18 – 2020**

**AN ORDINANCE TO AMEND THE DANVILLE TOWN CODE TITLE III,  
CHAPTER 35.02 (PLANNING ADMINISTRATION AND PARKS AND  
RECREATION USER FEES)**

**WHEREAS**, Section 35.02 of the Town of Danville (“Town”) Code of Ordinances (“Code”) sets forth various administrative fees for reports, permits, inspections, and the like; and

**WHEREAS**, the Town, through its Town Council, has determined that it is in the best interests of the Town to amend 35.02 to reflect an updated fee schedule.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT:**

- 1) The above recitals are incorporated by reference.
- 2) Section 35.02 of the Code (Fee Schedule) is amended to include certain omitted Planning Administration User Fees and add Parks and Recreation Fees as reflected in Exhibit “A” to this ordinance.
- 3) Notwithstanding Exhibit “A” and pursuant to Ind. Code 5-14-3-8(f), the Town shall collect any certification, facsimile machine transmission, or search fee specified by statute or ordered by a court.
- 4) Prior Ordinances and Sections of Chapter 35 of the Danville, Indiana Code of Ordinances are repealed only to the extent inconsistent with the terms of this Ordinance. Provisions consistent with this Ordinance and not repealed remain in full force and effect.
- 5) This Ordinance shall take effect upon adoption and publication.

ADOPTED by the Town Council of the Town of Danville, Indiana, on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

TOWN COUNCIL, TOWN OF DANVILLE

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Tom Pado

\_\_\_\_\_  
Chris Gearld

\_\_\_\_\_  
Greg VanLaere

\_\_\_\_\_  
Nancy Leavitt

\_\_\_\_\_  
David Winters

ATTEST:

\_\_\_\_\_  
Jennifer Percy, Clerk-Treasurer

EXHIBIT "A"

PLANNING FEES						
USE			FEE			DESCRIPTION
Title		Description	Current	Change	Type	Why
Planning	PC/Council	Petition to Annex	\$50	-	-	
Planning	PC	Zoning Amendment or Map Change	\$250	\$500+25/ac		
Planning	DRC	Signage	\$20	\$50	CPOD	

PARKS DEPARTMENT FEES						
USE			FEE			DESCRIPTION
Title		Description	Current	Change	Type	Why
ELLIS PARK						
Helton Courts	Resident	Rental	\$10			Hourly Min 2
Helton Courts	Non-Resident	Rental	\$15			Hourly Min 3



ORDINANCE NO. 19 - 2020

AN ORDINANCE AMENDING PARKING SCHEDULE IV (DOWNTOWN REGULATIONS) OF CHAPTER 74 OF THE TOWN OF DANVILLE, INDIANA CODE OF ORDINANCES

WHEREAS, pursuant to Ind. Code § 9-21-1-2 and Ind. Code § 9-21-1-3, the Town of Danville ("Town") has the authority to adopt ordinances regulating vehicle parking on highways under its jurisdiction;

WHEREAS, Chapter 74, Parking Schedule IV of the Danville, Indiana Code of Ordinances ("Code") establishes various parking regulations within the Town's downtown district, including the establishment of parking spaces;

WHEREAS, the Town desires to revise the parking regulations near the intersection of Washington Street and Marion Street;

WHEREAS, it is in the best interest of safety and efficiency to amend Chapter 74, Parking Schedule IV(E) to reflect a revised parking space area near the intersection of Washington Street and Marion Street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA, THAT:

- (1) The above recitals are incorporated herein by reference.
- (2) Chapter 74, Parking Schedule IV(E) of the Code (Downtown Regulations) is amended as follows:

Washington Street	<del>27 feet from NE corner at Marion Street intersection</del> <b>39 feet from NE corner at Marion Street Intersection</b>
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(3) Prior Ordinances and provisions of the Danville, Indiana Code of Ordinances are repealed only to the extent inconsistent with the terms of this Ordinance. Provisions consistent with this Ordinance and not repealed remain in full force and effect.

(4) This Ordinance shall take effect upon adoption and publication in accordance with Indiana law.

ADOPTED by the Town Council of the Town of Danville, Indiana, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DANVILLE TOWN COUNCIL

FOR:

AGAINST:

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Chris Gearld

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\_\_\_\_\_

Nancy Leavitt

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Tom Pado

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\_\_\_\_\_

Greg Vanlaere

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\_\_\_\_\_

David Winters

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ATTEST:

\_\_\_\_\_

Jennifer Percy, Clerk-Treasurer