Definition Section

Technical Review Committee shall consist of the following members. County staff will be assigned as permanent chair and recording secretary of Technical Review Committee.
1. County Engineer
2. County Storm Water Coordinator
3. County Erosion Control
4. County Planning and Development
5. Representative from applicable Fire Department serving development
6. Representative of Plan Commission Plat Review Committee
7. Representative of each utility serving the development
8. Representative of Sheriff department
9. Representative of EMA services
10. Representative of Municipality if located with two miles (advisory)
11. Representative of School Corporation (advisory)

Article V Conservation Subdivision

Purpose of this Section is to encourage innovative conservation subdivision design that preserves open space, promotes unique residential design, and enhances recreational and public space.

Section 1. Conservation Subdivision General Application Standards

A. Pre-Application Standards: The pre-application will consist of the following materials.
   a. Application (Including Conservation Worksheet)
   b. Conceptual Site Plan on most current aerial map and a topographic map scaled 1”=100’. Each map shall illustrate the following:
      i. Conceptual Open Space areas (Hatched areas)
      ii. Conceptual roadways
      iii. Conceptual lot layout
      iv. Conceptual drainage facilities
      v. Conceptual public recreational space
   c. Utility and Service Providers listed
   d. Adjoining Property Owner list (one (1) property deep)
   e. Vesting Deed or Affidavit from Owner
   f. Driving Directions to Site

B. Application Standards:
   a. Application (Including Conservation Worksheet)
   b. Proposed Plat on most current aerial map scaled 1”=100’. Plat shall illustrate the following:
      i. Conceptual Open Space areas (Hatched areas)
ii. Conceptual roadways  
iii. Conceptual lot layout  
iv. Conceptual drainage facilities  
v. Conceptual recreational facilities  
c. Technical Review Committee Report  
d. Plat Review Committee Report  
e. Traffic Study  
f. Drainage Report  
g. Utility and Service Providers letters  
h. Adjoining Property Owners list (Two (2) property deep)  
i. Draft Restrictions and Covenants  
j. Vesting Deed or Affidavit from Owner  
k. Driving Directions to Site  
i. Any Supporting Documentation  
m. Any Proposed Written Commitments  

Pre-Application Stage  
C. Prior to the filing of a full submission for a Conservation subdivision, the applicant must submit a pre-application plan to the Building and Development Service office. The office will review the plan for overall completeness to the ordinance and standards.  

D. The office will set up a table top meeting with the applicant, staff, plat review committee and adjoining property owners. Adjoining property owners will be contacted via certified mail from office. The meeting shall allow for a constructive conversation regarding the proposed site plan. Within three (3) days of the meeting, the office will provide non-binding comments and recommendations to the applicant.  

Application Stage  
E. Upon receipt of plat review comments, Applicant may make a full application submission to the Building and Development Service Office in accordance with Plan Commission application submission schedule.  

F. The Building and Development Service Office will review the application for completeness of Application Standards. If standards are not met, the Building and Development Service Office will inform the applicant of the deficiencies and request the material needed for completeness. Application can proceed to Technical Review Committee for review and comments while deficiencies are being addressed.  

G. The applicant will present the proposed development to the Technical Review
Committee. The Committee will make recommendations to the applicant and staff on any changes or proposed conditions be placed on the application. Public notification will occur per the Rules of Procedure for the Plan Commission.

Review Stage

H. The Technical Review Committee will issue a report to Plan Commission and applicant within three (3) business days of their meeting.

I. The application will be placed as a docket on the next Plan Commission Meeting if it is deem complete by the County Building and Development Service staff. Applicant must address all Technical Review Committee Report comments before being placed on the Plan Commission agenda.

Section 2 – Conservation Subdivision Design Standards

A. Conservation Subdivisions shall follow all of the development standards of the Major Subdivision unless noted in this section.

B. Lot Standards
   a. Lots served by sanitary sewer shall meet at the minimum the development standards set forth in the Residential Urban (RU) zoning district as single family detached units (6,000 square foot lots).
      i. Applicant shall provide notarized affidavit from utility that sanitary sewer has sufficient capacity to provide service and has all recorded easements or options for easements at proposed development site prior to primary plat approval. If using Right of way, the developer shall have notarized affidavit from local unit of government approving usage.

   b. Lot size shall not be less than 21,780 square feet for development served by septic systems. Lots shall meet at the minimum all other development standards excepting size as set forth in the Rural Residential (RR) zoning district.
      i. All Lots served by septic shall be approved by Health Department prior to primary plat approval.

      ii. Redundant lateral fields shall be allowed to be placed in Open Space areas. An operation and maintenance requirements shall be placed in the restrictions and covenants.
c. Plan Commission has final determination regarding lot and road layout design.

d. Applicant shall have flexibility to create alleys for access. Applicant shall meet County alley standards as set forth by County Engineer.

C. Road and Parking Standards

a. Applicant may request a reduction in the County standard road requirements as set forth in Appendix of this ordinance. Any proposed change must be in writing and presented to the County Engineer approval prior to Technical Review Committee.

b. Applicant shall provide an area for off-street parking. Additional parking spaces shall be at a ratio of 1 space per 3 dwelling units. Parking spaces can be distributed throughout development.

c. Off-street parking can be distributed in throughout proposed development to provide adequate access to the entire development.

D. Open Space Standards

a. A minimum of thirty-five (35) percent of development gross square footage must be dedicated as Open Space.

b. A minimum of twenty-five (25) percent of the development’s open space square footage or two (2) acres whichever is greater shall be set aside for Public Recreation Space as defined in the Floyd County Zoning Ordinance.

c. No portion of a proposed lot’s front, side or rear yard(s), right-of-way, roads, streets, median strips, parking area, and/or sidewalks can be used to satisfy the open space requirement.

d. No portion of any dedicated, reserved, used or in use lands for cemetery interment unless otherwise noted in this Ordinance can be used to satisfy the open space requirement.

e. The required open space may be used for drainage which would include:
   i. Detention basins
   ii. Underground fields
   iii. Bodies of Water such as Ponds and Lakes

f. Open space shall have a minimum width of 20 feet.

g. Phasing of development and open space is allowed. Plan Commission may allow required Public Recreation Space to be consolidated in one phase or
more phases. If Plan Commission agrees to consolidation, it must be noted on the plat.

h. Open Space Conveyance shall be accomplished in one of the following methods. An applicant must provide a letter from the entity stating it will accept the conveyance of Open Space deed into perpetuity or the Open Space can be platted as a common area lot with written commitment that such lot can not be vacated or developed. Conservation Easement must be recorded prior to Commissioners accepting final plat.

i. Conservation Easement recorded for Open Space in perpetuity to the Floyd County Parks Foundation with maintenance to be responsibility of development’s Home Owners Association.

ii. Conservation Easement recorded for Open Space in perpetuity to a registered land trust with maintenance to be responsibility of development’s Home Owners Association.

iii. Conservation Easement recorded for Open Space in perpetuity with maintenance to be responsibility of development’s Home Owners Association.

iv. Conservation Easement recorded for Open Space in perpetuity to a local community non-for profit with maintenance to be responsibility of development’s Home Owners Association.

v. Conservation Easement recorded for Open Space in perpetuity to Floyd County with maintenance to be responsibility of development’s Home Owners Association.

E. Density Standards
   a. Conservation Design lot density will be determined as follows:
      i. Completion of the Conservation Space Worksheet. The worksheet determine Base Density. It shall be formatted in the following matter to provide information regarding the proposed development.
         1. Gross Square Footage: Total Acreage in square feet of the proposed plat
         2. Total Acreage in square feet proposed for County Right of Way.
         3. Net Square Footage: Total Acreage in Proposed Plat (Line A minus Line B)

      ii. Base Density Calculation is the Net Square Footage divided by Base
Zoning District Lot Size for the development.

iii. Density Bonus shall be a maximum of twenty (20) percent bonus.

iv. Bonus Density Calculation shall be calculated as Base Density multiplied by 0.2. Fractions will be rounded up by the tenth of a percent. Example: 1.49 will be rounded down to 1 and 1.5 would be rounded to 2.

b. Qualifying Bonus Density Criteria

1. Bonus density can be granted for the following activities as set forth below. Applicant can receive only a combination of bonuses equaling twenty (20) percent. Technical Review Committee must approve all requests for density bonuses.

ii. An Applicant can receive a Ten (10) percent bonus based on the following Community-wide benefits
   a. Applicant agrees to increase drainage retention or detention basins sizes to accommodate up to 125 percent of storm water storage to be approved by Technical Review Committee;

2. Applicant can receive a five (5) percent bonus for each of the below listed items. Applicant has can request a maximum of two (2) bonuses.

3. Listed Bonus density activities based on the following Community-wide benefits.

   a. Agricultural: Applicant dedicates 50 percent of the dedicated open space to remain in current agricultural production. Applicant can also propose an agricultural use. Applicant must submit a letter from County Extension agent agreeing to current or proposed agricultural use.

   b. Historic Structures: An Applicant agrees to maintain a historic homestead, and/or accessory structures on site. Applicant must provide support letter from Historic Landmarks of Indiana. Maintenance agreement must be included as part of Restriction and Covenants.
c. **Fence row/County Road Viewshed:** Applicant agrees to maintain and incorporate existing fence row along County Right of Way. Applicant can also provide landscaping proposal to buffer County Road viewshed from backyards of homes.

d. **Public access to park/trail system:** An applicant agrees to allow public access to any designed park/trail system within development. Maintenance and operation costs to be covered by developer or Homeowners Association.

e. **Reservation of public space:** An applicant agrees to set aside space for a public structure or facility. Structure or Facility must be designated in a planning document. Applicant must provide support letter from appropriate governmental entity regarding the need and intent for a public structure.

f. **Low Impact Storm Water practices:** An applicant agrees to build and maintain low impact storm water management practices. An approval letter of proposed practices must be provided from Floyd County Storm Water Board.

g. **In lieu of fee:** An applicant can provide a voluntary fee that is equal to twenty five percent of the projected profit of the density bonus. The funds will be placed equally into the following funds.

   i. **Floyd County Park Capital Improvements Fund**

   ii. **Floyd County Thoroughfare Improvement Fund**

4. An applicant can request an unlisted bonus to be considered. A public hearing must be conducted prior to submission of the subdivision at the Plan Commission. The Plan Commission shall make a recommendation of the request and forward to the County Commissioners for final approval prior to the request being granted.

5. Applicant pursuing the density bonus must include bonus density lot calculations in traffic and drainage reports.
submitted in primary plat application.

6. Applicant shall demonstrate no negative impact has occurred from bonus density on transportation or drainage systems through findings of drainage and traffic studies.

7. Enforcement
   a. Applicant shall provide recorded written commitment to meeting these criteria. In the written commitment, the applicant will provide the Plan Commission the ability to enforce implementation of qualifying density bonus. Applicant shall also provide appropriate bonding as required in the ordinance.

   b. Applicant shall provide recorded written commitment that specifies the requirements set forth in Section 2 (b) (1)(3)(c) or (d). At time of each lot closing, a check shall be submitted to County.