



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

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Plan Commission Staff Report

To: Plan Commission Members
From: Joanna Myers, Senior Planner
Date: May 9, 2013
Re: Case PC 2013-05

ACTION REQUESTED:

Amendment to Subdivision Control Ordinance Article 6.19 (D) – Sump Pumps, Downspouts, & Foundation Drains and to update terminology for platting to be consistent with Indiana Code.

CONSIDERATIONS:

The City of Franklin Planning Department is requesting an amendment to the Subdivision Control Ordinance to repeal and replace Article 6.19 (D) – Sump Pumps, Downspouts, & Foundation Drains and provide revised terminology in reference to platting. The intent of the proposed amendment is to update the City's regulations to address the difference between residential development and all other development and to be consistent with the terminology used in Indiana Code.

When considering amendments to the text of the Subdivision Control Ordinance, Indiana Code (IC 36-7-4-701 and IC 36-7-4-602) states that the Plan Commission and legislative body shall pay reasonable regard to (1) the [community's] comprehensive plan; (2) current conditions and the character of current structures and uses in each district; (3) the most desirable use for which the land in each district is adopted; (4) the conservation of property values throughout the jurisdiction; and (5) responsible development and growth. Staff has made the following findings to assist the Plan Commission with their review and recommendation to the City Council for the proposed amendment to the Subdivision Control Ordinance.

PROPOSED AMENDMENTS:

1. Article 6.19 (D) – Sump Pumps, Downspouts, & Foundation Drains
See Exhibit "A"
2. The terminology used in the Subdivision Control Ordinance should be consistent with that of Indiana Code. Currently, the ordinance refers to "preliminary plat" and "final plat". Indiana Code references these as "primary plat" and "secondary plat." Therefore, the proposed amendment is to change all references in the Subdivision Control Ordinance from "preliminary plat" to "primary plat" and from "final plat" to "secondary plat".

CRITERIA FOR RECOMMENDATION:

The Plan Commission may certify (recommend) an amendment to the text of the Subdivision Control Ordinance to the Franklin City Council with a *favorable recommendation, an unfavorable recommendation, or no recommendation*. As stated earlier, the Plan Commission shall pay reasonable regard to the following:

1. The Comprehensive Plan

Staff Findings:

The purpose of the Comprehensive Plan is to guide development within Franklin, to assure responsible development and land use, and to protect property values. The proposed amendment will promote responsible development and protect property values by acknowledging the distinct difference between residential development and all other types of development.

2. Current conditions and the character of current structures and uses in each district

Staff Findings:

The proposed amendment includes changes that are reflective of the types of questions and waiver requests regarding development of institutional, industrial, and commercial properties.

3. The most desirable use for which the land in each district is adopted

Staff Findings:

The proposed amendment provides standards that are reflective of the types of development that occurs within each zoning district. The standards proposed should result in regulations that are suited for the uses within each district.

4. The conservation of property values throughout the jurisdiction

Staff Findings:

Property values will not be negatively affected with the approval of the proposed amendment as the proposal is intended to assist development in a more effective and efficient manner than the current regulations.

5. Responsible development and growth

Staff Findings:

The proposed amendment promotes responsible development and growth by differentiating between the types of development within each zoning district.

STAFF RECOMMENDATION:

1. Staff recommends that the Plan Commission forward a **favorable recommendation** for amending the Franklin Subdivision Control Ordinance to the Franklin City Council.

EXHIBIT “A”

6.19 General Drainage Standards – CURRENT LANGUAGE

- D. Sump Pump, Downspout, & Foundation Drains:** It shall be illegal for sump pumps, down spouts, or foundation drains to outlet directly to the street or into the right-of-way of the street, or to be connected to the sanitary sewer. Sump pumps and down spouts shall discharge onto a grass surface no closer than 25 feet to the right-of-way on any street.

6.19 General Drainage Standards – PROPOSED AMENDMENT

- D. Sump Pumps, Downspouts, & Foundation Drains:** It shall be illegal for sump pumps, downspouts, or foundation drains to outlet directly to the street or into the right-of-way of the street, or to be connected to the sanitary sewer.
1. Sump Pumps: In no case shall a sump pump be used for more than one function; sump pumps shall be used only for the discharge of stormwater. Sump pumps shall discharge onto a grass surface in the side or rear yard and no closer than 25 feet to the right-of-way of any street.
 2. Downspouts and Roof Drains: Downspouts and roof drains shall be discharged no closer to the street than the building setback line, with the exception of single-family residential downspouts and roof drains. All single-family residential downspouts and roof drains shall discharge onto a grass surface no closer than 25 feet to the right-of-way of any street.
 3. Outlet Points: A discharge pipe which outlets onto the surface of the ground shall have its point of discharge outside the boundaries of any drainage or utility easement or street right-of-way. Discharge pipes directed toward or into an open drainage swale or ditch shall provide sufficient separation distance so as to provide sufficient area for reasonable absorption of water into the soil without creating erosion control problems.