

# COMMON COUNCIL MEETING AGENDA

MONDAY, JANUARY 6, 2020 – 6:00 P.M.  
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

1. **CALL TO ORDER**
2. **AGENDA APPROVAL**
3. **INVOCATION**
4. **PLEDGE OF ALLEGIANCE**
5. **RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS**
  1. Presentation of Outstanding Citizen Award
    - a. Garth Cooley
    - b. Jake Mitchell
    - c. Wyatt Davis
6. **RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL**
7. **COUNCIL AND MAYORAL COMMENTS/OBSERVATIONS**
8. **CONSENT AGENDA**
  - a. **Approval of Minutes**
    1. December 16, 2019 Regular Meeting
    2. December 30, 2019 Special Meeting
  - b. **Claims**
    1. Payroll
    2. General Claims
    3. Retirement
    4. Wire Transfers
9. **ACTION ON MAYORAL VETOES**
10. **COMMITTEE REPORTS**

- a. Finance, Utilities and Rules Committee
- b. Land Use and Special Studies Committee
- c. All reports designated by the Chair to qualify for placement under this category.

11. **OTHER REPORTS – (at the first meeting of the month specified below):**

- a. **Carmel Redevelopment Commission (Monthly)**
- b. **Carmel Historic Preservation Commission (Quarterly – January, April, July, October)**
- c. Audit Committee (Bi-annual – May, October)
- d. Redevelopment Authority (Bi-annual – April, October)
- e. Carmel Cable and Telecommunications Commission (Bi-annual – April, October)
- f. Economic Development Commission (Bi-annual – February, August)
- g. Library Board (Annual – February)
- h. Ethics Board (Annual – February)
- i. Public Art Committee (Annual – August)
- j. Parks Department (Quarterly – February, May, August, November)
- k. **Report on the Carmel Music and Film Festival**
- l. All reports designated by the Chair to qualify for placement under this category.

12. **OLD BUSINESS**

- a. **Sixth Reading of Ordinance D-2488-19**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 8, Article 6, Sections 8-56(d) and 8-58(a); Sponsor(s): Councilor(s) Finkam and Worrell. **Remains in the Finance, Utilities and Rules Committee.**

**Synopsis:**

Ordinance adds vehicle weight restrictions to various City streets.

- b. **Second Reading of Ordinance Z-649-19**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending the Standards of the C1 & C2 Districts in the Unified Development Ordinance; Sponsor: Councilor Campbell. **Remains in the Land Use and Special Studies Committee.**

**Synopsis:**

This ordinance amends the Unified Development Ordinance in order to correct the standards in the C1 & C2 District from the conversion in to the UDO format.

- c. **Second Reading of Ordinance D-2507-19**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Section 8-48 of Chapter 8, Article 5 of the Carmel City Code; Sponsor: Councilor Worrell. **Remains in the Finance, Utilities and Rules Committee.**

**Synopsis:**

Regulating parking in a parking lot located on Tax Parcel 16-09-25-16-02-024.001, and updating certain parking restrictions within the City.

13. **PUBLIC HEARINGS**

14. **NEW BUSINESS**

15. **AGENDA ADD-ON ITEMS**

16. **OTHER BUSINESS**

a. **Election of 2020 Council Positions**

b. **City Council Appointments**

1. Carmel City Center Community Development Corporation (4CDC) (Term Expires 12/31/20, one year term); One appointment.
2. Carmel Redevelopment Commission (Terms Expire 12/31/20, one year term); Two appointments.
3. Carmel Ethics Board (Democrat) (Term Expires 1/1/22, two year term); One appointment.
4. Carmel Audit Committee (Term Expires 1/1/22, two year term); One appointment.
5. Carmel Public Art Advisory Committee (Terms Expire 1/1/22, two year term); Nine appointments.
6. Carmel Board of Zoning Appeals (Term Expires 1/4/24, four year term); One appointment.
7. Carmel Economic Development Commission (Term Expires 1/31/23, three year term); One appointment.
8. Carmel Plan Commission, (term expires 12/31/2021, two year term); One Appointment.
9. Carmel Advisory Committee on Disability, (terms expire 12/30/20 and 12/31/2021, two appointments will be for 1 year and two appointments will be for 2 years); Four Appointments.

17. **ANNOUNCEMENTS**

18. **EXECUTION OF DOCUMENTS**

19. **ADJOURNMENT**

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# COMMON COUNCIL MEETING MINUTES

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MONDAY, DECEMBER 16, 2019 – 6:00 P.M.  
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

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## **MEETING CALLED TO ORDER**

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Council President Jeff Worrell; Council Members: Laura Campbell, Ronald E. Carter, Kevin D. Rider, Sue Finkam, Anthony Green, H. Bruce Kimball, and Deputy Clerk Jacob Quinn were present.

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Council President Worrell called the meeting to order at 6:00 p.m.

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## **AGENDA APPROVAL**

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The agenda was approved unanimously.

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## **INVOCATION**

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Councilor Rider delivered the Invocation.

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Councilor Carter led the Pledge of Allegiance.

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## **RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS**

Councilor Carter was honored and recognized for his 24 years of service on the Carmel City Council.

## **RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL**

There were none.

## **COUNCIL AND MAYORAL COMMENTS/OBSERVATIONS**

Councilor Carter reflected on his years of service and what he hopes the city will accomplish moving forward.

## **CONSENT AGENDA**

Councilor Rider moved to approve the consent agenda. Councilor Finkam seconded. There was no Council discussion. Council President Worrell called for the vote. The motion was approved 7-0.

a. **Approval of Minutes**

1. December 2, 2019 Regular Meeting

46                   b. **Claims**

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- 48                   1. Payroll \$2,415,937.64
  - 49                   2. General Claims \$1,592,712.01
  - 50                   3. Wire Transfers \$1,720,196.70

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52 **ACTION ON MAYORAL VETOES**

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54 There were none.

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56 **COMMITTEE REPORTS**

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58 Councilor Finkam reported that the Finance, Utilities and Rules Committee had not met.

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60 Councilor Green reported that the Land Use and Special Studies Committee had met and discussed  
61 Ordinance Z-647-19 which is returning with a positive 3-0 recommendation.

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63 **OTHER REPORTS – (at the first meeting of the month specified below):**

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65 There were none.

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67 **OLD BUSINESS**

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69 Councilor President Worrell announced the **Fifth Reading of Ordinance D-2488-19**; An Ordinance of  
70 the Common Council of the City of Carmel, Indiana, Amending Chapter 8, Article 6, Sections 8-56(d)  
71 and 8-58(a); Sponsor(s): Councilor(s) Finkam and Worrell. Item remains in the Finance, Utilities and  
72 Rules Committee.

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74 Councilor President Worrell announced the **Third Reading of Ordinance Z-647-19**; An Ordinance of  
75 the Common Council of the City of Carmel, Indiana, Rezoning Real Estate to the Urban Residential (UR)  
76 District; Sponsor: Councilor Kimball. Councilor Green announced that the item is returning from the  
77 Land Use and Special Studies Committee with a 3-0 positive recommendation. Jim Shinaver, Nelson and  
78 Frankenberger, presented to Council. Councilor Rider moved to approve Ordinance Z-647-19. Councilor  
79 Kimball seconded. There was extensive no Council discussion. Council President Worrell called for the  
80 vote. **Ordinance Z-647-19** was approved 7-0.

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82 Councilor President Worrell announced the **Second Reading of Ordinance D-2505-19**; An Ordinance of  
83 the Common Council of the City of Carmel, Indiana, Amending the Carmel City Code. Councilor Finkam  
84 moved to approve Ordinance D-2505-19. Councilor Rider seconded. There was no Council discussion.  
85 Council President Worrell called for the vote. **Ordinance D-2505-19** was approved 7-0

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87 **PUBLIC HEARINGS**

88

89 Councilor President Worrell announced the **First Reading of Ordinance Z-649-19**; An Ordinance of the  
90 Common Council of the City of Carmel, Indiana, Amending the Standards of the C1 & C2 Districts in the  
91 Unified Development Ordinance. Councilor Rider moved to introduce the item into business. Councilor  
92 Campbell seconded. Adrienne Keeling, Department of Community Services, presented the item to  
93 Council. Council President Worrell opened the public hearing at 6:45 p.m.

95 Seeing no one who wished to address Council, Council President Worrell closed the public hearing at  
96 6:45 p.m. Council President Worrell referred the item to the Land Use and Special Studies Committee.  
97

98 Councilor President Worrell announced the **First Reading of Ordinance Z-648-19**; An Ordinance of the  
99 Common Council of the City of Carmel, Indiana, Rezoning 31 Lots (Approximately 13.68 acres) at SW  
100 Corner of US 31 and 111<sup>th</sup> Street from S-2 (Residential) to the MC (Meridian Corridor) District.  
101 Councilor Rider moved to introduce the item into business. Councilor Carter seconded. Councilor  
102 Campbell introduced the item to Council. Robert Hicks, Hall Render, presented the item to Council.  
103 Council President Worrell opened the public hearing at 6:54 p.m.  
104

105 Seeing no one who wished to address Council, Council President Worrell closed the public hearing at  
106 6:54 p.m. Councilor Finkam moved to suspend the rules and act on this tonight. Councilor Rider  
107 seconded. There was no Council discussion. Council President Worrell called for the vote. The motion  
108 was approved 7-0. Councilor Finkam moved to approve Ordinance Z-648-19. Councilor Rider seconded.  
109 There was no Council discussion. Council President Worrell called for the vote. **Ordinance Z-648-19**  
110 was approved 7-0.  
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## 112 **NEW BUSINESS**

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114 Councilor President Worrell announced the **First Reading of Ordinance D-2506-19**; An Ordinance of  
115 the Common Council of the City of Carmel, Indiana, Amending Section 6-33 to Chapter 6, Article 3 of  
116 the Carmel City Code. Councilor Rider moved to introduce the item into business. Councilor Carter  
117 seconded. Benjamin Legge, Assistant Corporation Counsel, presented the item to Council. Councilor  
118 Rider moved to suspend the rules and act on this tonight. Councilor Finkam seconded. There was no  
119 Council discussion. Council President Worrell called for the vote. The motion was approved 7-0.  
120 Councilor Rider moved to approve Ordinance D-2506-19. Councilor Finkam seconded. There was no  
121 Council discussion. Council President Worrell called for the vote. **Ordinance D-2506-19** was approved  
122 7-0.  
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124 Councilor President Worrell announced the **First Reading of Ordinance D-2508-19**; An Ordinance of  
125 the Common Council of the City of Carmel, Indiana, Adding Chapter 2, Article 2, Section 26 to the  
126 Carmel City Code, Thereby Establishing the Carmel Advisory Committee on Disability. Councilor Rider  
127 moved to introduce the item into business. Councilor Carter seconded. Councilor Campbell presented the  
128 item to Council. Councilor Rider moved to suspend the rules and act on this tonight. Councilor Finkam  
129 seconded. There was no Council discussion. Council President Worrell called for the vote. The motion  
130 was approved 7-0. Councilor Campbell moved to approve Ordinance D-2508-19. Councilor Rider  
131 seconded. There was no Council discussion. Council President Worrell called for the vote. **Ordinance D-**  
132 **2508-19** was approved 7-0.  
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135 Councilor President Worrell announced **Resolution CC 12-16-19-01**; A Resolution of the Common  
136 Council of the City of Carmel, Indiana, Approving a Transfer of Funds Within the 2019 Parks  
137 Department Budget. Councilor Rider moved to introduce the item into business. Councilor Carter  
138 seconded. Michael Klitzing, Director of Parks and Recreation, presented the item to Council. Councilor  
139 Rider moved to approve Resolution CC-12-16-19-01. Councilor Carter seconded. There was no Council  
140 discussion. Council President Worrell called for the vote. **Resolution CC-12-16-19-01** was approved 7-0  
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143 Councilor President Worrell announced **Resolution CC 12-16-19-02**; A Resolution of the Common  
144 Council of the City of Carmel, Indiana, Approving a Transfer of Funds in the 2019 Department of  
145 Redevelopment Budget. Councilor Rider moved to introduce the item into business. Councilor Campbell  
146 seconded. Henry Mestetsky, Executive Director of the Carmel Redevelopment Commission, presented the  
147 item to Council. Councilor Rider moved to approve Resolution CC-12-16-19-02. Councilor Finkam  
148 seconded. There was no Council discussion. Council President Worrell called for the vote. **Resolution**  
149 **CC-12-16-19-02** was approved 7-0.

150  
151 Councilor President Worrell announced **Resolution CC 12-16-19-03**; A Resolution of the Common  
152 Council of the City of Carmel, Indiana, Approving a Transfer of Funds Within the 2019 Information &  
153 Communication System (ICS) Department Budget. Councilor Rider moved to introduce the item into  
154 business. Councilor Campbell seconded. Timothy Renick, Director of Information & Communication  
155 Systems, presented the item to Council. Councilor Rider moved to approve Resolution CC-12-16-19-03.  
156 Councilor Green seconded. There was no Council discussion. Council President Worrell called for the  
157 vote. **Resolution CC-12-16-19-03** was approved 7-0.

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159 Councilor President Worrell announced **Resolution CC 12-16-19-04**; A Resolution of the Common  
160 Council of the City of Carmel, Indiana, Approving a Transfer of Funds Within the 2019 Department of  
161 Community Relations & Economic Development Budget. Councilor Rider moved to introduce the item  
162 into business. Councilor Campbell seconded. Councilor Rider moved to approve Resolution CC-12-16-  
163 19-04. Councilor Finkam seconded. There was no Council discussion. Council President Worrell called  
164 for the vote. **Resolution CC-12-16-19-04** was approved 7-0.

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166 Councilor President Worrell announced **Resolution CC 12-16-19-06**; A Resolution of the Common  
167 Council of the City of Carmel, Indiana, Approving a Transfer of Funds Between the 2019 Department of  
168 Community Services Budget and the Non-Reverting Carmel Historic Preservation Fund (#507).  
169 Councilor Rider moved to introduce the item into business. Councilor Campbell seconded. Councilor  
170 Rider moved to approve Resolution CC-12-16-19-06. Councilor Carter seconded. There was no Council  
171 discussion. Council President Worrell called for the vote. **Resolution CC-12-16-19-06** was approved 7-0.

172  
173 Councilor President Worrell announced the **First Reading of Ordinance D-2509-19**; An Ordinance of  
174 the Common Council of the City of Carmel, Indiana, Recording the Commitments of RE Group, LLC  
175 Made Pursuant to Obtaining a Three-Way Alcoholic Beverage Permit. Councilor Rider moved to  
176 introduce the item into business. Councilor Campbell seconded. Benjamin Legge, Assistant Corporation  
177 Counsel, presented the item to Council. Councilor Finkam moved to suspend the rules and act on this  
178 tonight. Councilor Rider seconded. There was no Council discussion. Council President Worrell called for  
179 the vote. The motion was approved 7-0. Councilor Finkam moved to approve Ordinance D-2509-19.  
180 Councilor Rider seconded. There was no Council discussion. Council President Worrell called for the  
181 vote. **Ordinance D-2509-19** was approved 7-0.

182  
183 Councilor President Worrell announced the **First Reading of Ordinance D-2507-19**; An Ordinance of  
184 the Common Council of the City of Carmel, Indiana, Amending Section 8-48 of Chapter 8, Article 5 of  
185 the Carmel City Code. Councilor Rider moved to introduce the item into business. Councilor Campbell  
186 seconded. Benjamin Legge, Assistant Corporation Counsel, presented the item to Council. Council  
187 President Worrell referred the item to the Finance, Utilities, and Rules Committee.

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189 Councilor President Worrell announced **Resolution CC 12-16-19-05**; A Resolution of the Common  
190 Council of the City of Carmel, Indiana, Honoring the Service of Councilor Ronald E. Carter. Councilor  
191 Rider moved to introduce the item into business. Councilor Campbell seconded. Councilor Worrell

192 introduced the item to Council. Each member of Council thanked Councilor Carter for his service and  
193 discussed the impact he had on them individually. Councilor Rider moved to approve Resolution CC-12-  
194 16-19-05. Councilor Finkam seconded. There was no Council discussion. Council President Worrell  
195 called for the vote. **Resolution CC-12-16-19-05** was approved 7-0.

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197 **AGENDA ADD-ON ITEMS**

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199 **OTHER BUSINESS**

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201 **Meeting Dates for 2020 were approved.**

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203 **ANNOUNCEMENTS**

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205 There were none.

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207 **EXECUTION OF DOCUMENT**

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209 **ADJOURNMENT**

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211 Council President Worrell adjourned the meeting at 7:00 p.m.

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213 Respectfully submitted,

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218 Sue Wolfgang, Clerk

219 Approved,

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224 Laura Campbell, Council President

225 **ATTEST:**

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Sue Wolfgang, Clerk

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# COMMON COUNCIL SPECIAL MEETING MINUTES

MONDAY, DECEMBER 30, 2019 – 8:00 A.M.  
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

## MEMBERS PRESENT

Council President Jeff Worrell; Council Members: Kevin D. Rider, Ronald E. Carter, H. Bruce Kimball, Anthony Green, and Deputy-Clerk Jacob Quinn were present.

Councilors Sue Finkam and Laura Campbell were not in attendance.

Council President Worrell called the meeting to order at 8:02 a.m.

## CLAIMS

Councilor Rider moved to approve General Claims in the amount of \$2,830,928.92. Councilor Green seconded. There was no Council discussion. Council President Worrell called for the vote. Claims were approved 5-0.

Councilor Rider moved to approve Payroll in the amount of \$2,401,739.70. Councilor Green seconded. There was no Council discussion. Council President Worrell called for the vote. Payroll was approved 5-0.

## ADJOURNMENT

Council President Worrell adjourned the meeting at 8:03 a.m.

Respectfully submitted,

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Sue Wolfgang, Clerk

Approved,

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Council President

**ATTEST:**

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Sue Wolfgang, Clerk

CARMEL HISTORIC PRESERVATION COMMISSION  
QUARTERLY REPORT TO CARMEL CITY COUNCIL  
JANUARY 2020

October 2019 – January 2020

- The Carmel Historic Preservation Commission offered two rounds of façade grants in 2019 to qualified property owners. Grant recipients have begun to start and complete work, and many recipients have been reimbursed from previous years' work. Several property owners have expressed interest in applying for the façade grant in 2020. Staff from the CHPC recently met with Lisa Motz from the City of Carmel to review expired/expiring grants. Four façade grant projects were deemed complete in quarter four of 2019 and were reviewed & approved by staff.
- In an effort to update the 2014 City of Carmel/Clay Township Historic Architecture Survey, CHPC staff sent an RFP to five qualified preservation consulting firms, with proposals due December 30<sup>th</sup>, 2019. Staff will review the proposals and hope to select a firm at the January 9<sup>th</sup> CHPC meeting, with work planning to commence in the Spring of 2020. The historic architecture survey update will be 'all-inclusive' and will feature several historic properties not featured on the 2014 survey. CHPC members and staff have worked together to determine which properties were missed from the previous survey.
- On November 11<sup>th</sup>, 2019, Ron Carter penned his resignation from the CHPC, effective December 31<sup>st</sup> (the end of his term). Current CHPC members will be looking for a new commissioner to fill the empty seat by a current member of the city council.
- CHPC commissioners and staff have worked together to discuss solutions for preserving North Rangeline Road, and to engage/educate local property owners regarding these efforts. Staff members Mark Dollase and Joshua Biggs will meet with Mayor Brainard on January 17<sup>th</sup> to discuss. Staff recently compiled a list of outstanding, notable, and contributing-rated structures from the 2014 Historic Architecture Survey (including along North Rangeline Road) and will also seek to engage these property owners on preservation efforts – including local and/or National Register of Historic Places designation. Additionally, the Commission is going to undertake an assessment of outreach activities and identify new ways to communicate with the public about its programs as part of obligations for being a Certified Local Government.
- The Wilkinson-Hull House at 2724 E. 136<sup>th</sup> St. is still under interim protection, but has not been rehabilitated, and is deteriorating. CHPC members and staff have discussed using allotted funds in 2020 to save the Greek Revival landmark from further deterioration. Furthermore, the National Register of Historic Places application is nearing completion.
- Throughout the previous quarter, CHPC staff continued to participate in the review of permit applications and requests per the demolition delay ordinance.

Respectfully submitted,  
Mark Dollase, Carmel Historic Preservation Commission Administrator

**ORDINANCE NO. D-2488-19**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA,  
AMENDING CHAPTER 8, ARTICLE 6, SECTIONS 8-56(d) AND 8-58(a).**

**Synopsis: Ordinance adds vehicle weight restrictions to various City streets.**

**WHEREAS**, Indiana Code § 9-20-1-3(c) enables the City of Carmel (the “City”), by ordinance, to limit the operation of trucks or other commercial vehicles on designated roads; and

**WHEREAS**, the City has previously regulated vehicle weight restrictions in City Code Chapter 8, Article 6, §§8-55 to 8-58; and

**WHEREAS**, the Common Council of the City of Carmel, Indiana, now finds that it is in the interest of the public safety and welfare to further vehicle weight restrictions within the City.

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

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The following subsection of Carmel City Code Section 8-56(d) is hereby amended to read as follows:

“(d) Vehicles picking up and/or delivering goods, or performing services to or at any location abutting or accessed by a **City Residential sStreet or street listed in Section 8-58 below**, provided that the drivers of same have in their possession written confirmation or the name and telephone number of an individual who is authorized and able to confirm that they are then engaged in such pick-up, delivery of goods or provision of services.”

Section 3. The following subsections of Carmel City Code Section 8-58 are hereby added and shall read as follows:

- “(11) **Reserved Hazel Dell Parkway, from its intersection with, but not including, East 146th Street south to its intersection with, but not including, 106th Street.**
- (12) East Smokey Row Road, from its intersection with, but not including, Keystone Parkway east to its terminus at Gray Road.**
- (13) Main Street, from its intersection with, but not including, Keystone Parkway east to its terminus at River Road.**
- (14) 126<sup>th</sup> Street, from its intersection with, but not including, Keystone Parkway east to its terminus at River Road.**

Ordinance D-2488-19  
Page One of Three Pages

This Ordinance was prepared by Jon Oberlander, Carmel Assistant Corporation Counsel, on 9/27/19 at 10:41 AM. It may have been subsequently revised. However, no subsequent revision to this Ordinance has been reviewed by Mr. Oberlander for legal sufficiency or otherwise.

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- (15) Carmel Drive, from its intersection with, but not including, Keystone Parkway east to its terminus at 126<sup>th</sup> Street.
- (16) 116<sup>th</sup> Street, from its intersection with, but not including, Keystone Parkway east to the City’s corporate boundary.
- (17) 106<sup>th</sup> Street, from its intersection with, but not including, Keystone Parkway east to, but not including its intersection with Gray Road.”

Section 4. The remaining provisions of Carmel City Code Sections 8-56 and 8-58 are not affected by this Ordinance and shall remain in full force and effect.

Section 5. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance, such repeal to have prospective effect only. However, the repeal or amendment by this Ordinance of any other ordinance does not affect any rights or liabilities accrued, penalties incurred or proceedings begun prior to the effective date of this Ordinance. Those rights, liabilities and proceedings are continued and penalties shall be imposed and enforced under such repealed or amended ordinance as if this Ordinance had not been adopted.

Section 6. If any portion of this Ordinance is for any reason declared to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance so long as enforcement of same can be given the same effect.

Section 7. This Ordinance shall be in full force and effect on January 1, 2020.

Section 8. The Carmel Street Department is directed to add the appropriate signage to fulfill the mandates contained in this Ordinance no later than January 1, 2020.

*[signature page follows]*

This Ordinance was prepared by Jon Oberlander, Carmel Assistant Corporation Counsel, on 9/27/19 at 10:41 AM. It may have been subsequently revised. However, no subsequent revision to this Ordinance has been reviewed by Mr. Oberlander for legal sufficiency or otherwise.  
S:\ORDINANCES\2019\D-2488-19 East Side Weight Restrictions Redline.docx

88 **PASSED** by the Common Council of the City of Carmel, Indiana this \_\_\_\_ day of  
89 \_\_\_\_\_ 2019, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

90 **COMMON COUNCIL FOR THE CITY OF CARMEL**

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Jeff Worrell, President

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Anthony Green

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Laura D. Campbell, Vice-President

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H. Bruce Kimball

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Ronald E. Carter

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Kevin D. Rider

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Sue Finkam

ATTEST:

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Christine S. Pauley, Clerk-Treasurer

Presented by me to the Mayor of the City of Carmel, Indiana this \_\_\_\_ day of  
\_\_\_\_\_ 2019, at \_\_\_\_\_ .M.

\_\_\_\_\_  
Christine S. Pauley, Clerk-Treasurer

Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of  
\_\_\_\_\_ 2019, at \_\_\_\_\_ .M.

\_\_\_\_\_  
James Brainard, Mayor

ATTEST:

\_\_\_\_\_  
Christine S. Pauley, Clerk-Treasurer

Ordinance D-2488-19  
Page Three of Three Pages

This Ordinance was prepared by Jon Oberlander, Carmel Assistant Corporation Counsel, on 9/27/19 at 10:41 AM. It may have been subsequently revised. However, no subsequent revision to this Ordinance has been reviewed by Mr. Oberlander for legal sufficiency or otherwise.  
S:\ORDINANCES\2019\D-2488-19 East Side Weight Restrictions Redline.docx

# MEMORANDUM

**TO:** Carmel City Council  
**FROM:** Adrienne Keeling  
Department of Community Services  
**SUBJECT:** Z-649-19  
**DATE:** December 6, 2019

Please find information on the following item forwarded by the Plan Commission. This item will appear on your December 16<sup>th</sup> agenda.

## **Forwarded with a favorable recommendation:**

### **Ordinance Z-649-19 (Docket No. 19100001 OA): C1 & C2 District Amendments**

The applicant seeks to amend the Unified Development Ordinance in order amend permitted uses and to correct the standards in the C1 & C2 Districts from the conversion to the Unified Development Ordinance. Filed by the Department of Community Services on behalf of the Carmel Plan Commission.

## **Proposed Amendments Summary:**

Attached is a proposed UDO Amendment which is primarily a technical amendment to restore and clarify standards which previously applied in the old zoning ordinance. The only new language to C1 & C2 is the proposed addition of permitted uses.

## **Article 2: Zoning Districts:**

- **Section 2.33: C1 Permitted Uses, Lines 35-52:** and  
**Section 2.35: C2 Permitted Uses, Lines 55-71:**  
Add the following Educational, Office and Recreational Permitted Uses:
  - day nursery/day care
  - kindergarten/preschool
  - school, trade or business
  - clinic or medical health center
  - research facility/laboratory
  - private club or lodge
  - public plaza
  - rooftop parks and gardens

## **Article 5: Development Standards:**

- **Section 5.21: C2 Bufferyard Standards**
  - Lines 75-77: Amend the title to apply to both C1 & C2 as Landscaping Standards. The UDO is currently silent with respect to landscaping in the C1 District.
  - Line 79: Remove a reference that specifies City Center standards.
  - Line 83: Clarify that the Bufferyard standard applies only to C2 (same as previous ordinance).
- **Section 5.39: Sign Standards, Lines 104-117:** Create a new C1 & C2 subsection of Permanent Signs which restores the division of control of sign standards between the UDO and CRC project standards. The number and location of signs is determined by CRC project standards, and the size and design of signs is determined by the sign ordinance.
- **Section 5.78: General Yard Standards, Line 120:** Clarify that the standards do not apply to C1 & C2.
- **Section 5.80: Non-Residential Yard Standards, Line 157:** Clarify that the standards do not apply to C1 & C2.

To aide in review, UDO page numbers are referenced in the ordinance document.

The UDO may be accessed on the city's website at [www.carmel.in.gov](http://www.carmel.in.gov) > Government > Departments & Services > Community Services > Codes & Ordinances.

The information in this packet is arranged in the following order:

1. Proposed Ordinance Z-649-19
2. Plan Commission Certification (expires February 20, 2020).

**ORDINANCE Z-649-19**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE  
CITY OF CARMEL, INDIANA**

*An Ordinance amending the standards of the C1 & C2 Districts  
in the Unified Development Ordinance.*

**Synopsis:**

This ordinance amends the Unified Development Ordinance in order to correct the standards in the C1 & C2 District from the conversion in to the UDO format.

**WHEREAS**, it is in the public interest that subdivision common area improvements are inspected prior to the transition of the board of directors of the owners’ association from the developer to the property owners.

**WHEREAS**, the City wishes to maintain an orderly, consistent and streamlined unified development ordinance; and

**WHEREAS**, pursuant to the Advisory Planning Law of the State of Indiana (contained in IC 36-7-4), each unit of local government that wishes to adopt land use and zoning ordinances must first approve by resolution a comprehensive plan for the geographic area over which it has jurisdiction; and

**WHEREAS**, pursuant to Indiana Code 36-7-4-602 the Common Council is authorized to amend the text of the unified development ordinance; and

**WHEREAS**, pursuant to Indiana Code 36-7-4-610 and City of Carmel Ordinance D-2391-17, the Carmel Unified Development Ordinance is incorporated by reference into the Carmel City Code;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Carmel, Indiana, that, pursuant to IC 36-7-4-600 et seq. and after Docket No. 19100001 OA having received a favorable recommendation from the Carmel Advisory Plan Commission on Tuesday, November 19, 2019, it hereby adopts this Ordinance to amend the Carmel Unified Development Ordinance (Ordinance Z-625-17, as amended), to read as follows:

**Section I: Amend Article 2: Zoning Districts as follows:**

**2.33 C1 District Intent, Permitted Uses and Special Uses**  
**Permitted Uses**

**UDO Page 2-34**

**Education Permitted Use**

- day nursery/day care
- kindergarten/preschool
- school, trade or business

**Office Permitted Use**

- clinic or medical health center
- general office
- professional office
- research laboratory/facility

**Recreational Permitted Use**

- commercial recreational facility, indoor
- commercial recreational facility, outdoor

- 48 • community center
- 49 • park, public
- 50 • private club or lodge
- 51 • public plaza
- 52 • rooftop parks and gardens

54 **2.35 C2 District Intent, Permitted Uses and Special Uses**  
 55 **Permitted Uses**

UDO Page 2-36

56 **Education Permitted Use**

- 57 • day nursery/day care
- 58 • kindergarten/preschool
- 59 • school, trade or business

60 **Office Permitted Use**

- 61 • clinic or medical health center
- 62 • general office
- 63 • professional office
- 64 • research laboratory/facility

65 **Recreational Permitted Use**

- 66 • commercial recreational facility, indoor
- 67 • community center
- 68 • park, public
- 69 • private club or lodge
- 70 • public plaza
- 71 • rooftop parks and gardens

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 73 **Section II: Amend Article 5: Development Standards as follows:**

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 75 **5.21 LS-03: C1 & C2 ~~Bufferyard~~ Landscaping Standards**

UDO Page 5-29

76 These Landscape Standards (LS) section apply to the following districts:

77 **ICON: C1, C2**

- 78 A. Landscape Design: Landscaping shall be designed in accordance with the adopted landscaping
- 79 style and species palette established ~~for the City Center~~ by the City of Carmel Redevelopment
- 80 Commission.
- 81 B. Street Trees: Shade trees shall be planted along all streets within the rights-of-ways, parallel to the
- 82 street. Species, size, and installation shall be per the standards of the City of Carmel.
- 83 C. Bufferyards (C2 District) Only:
  - 84 1. Bufferyards shall be required along any side and/or rear lot line abutting a side or rear lot line
  - 85 of detached single family residences and shall extend the entire length of the lot line.
  - 86 2. The minimum Bufferyard width shall be equal to the building height of the nearest building to
  - 87 each side or rear lot line, not to exceed thirty-five (35) feet.
  - 88 3. The minimum planting standard shall be Bufferyard C as set forth in the Bufferyard Table
  - 89 prescribed in *Article 5, Section 5.19(F)(1): Bufferyards*.
- 90 D. Landscaping Installation and Maintenance:
  - 91 1. *Installation*: All required landscaping pursuant to the ADLS approval shall be installed prior to
  - 92 the issuance of a Certificate of Occupancy by the Department Administrator. If it is not
  - 93 possible to install the required landscaping because of weather conditions, the property owner
  - 94 shall post a bond for an amount equal to the total cost of the required landscaping prior to the
  - 95 issuance of the Final Certificate of Occupancy.
  - 96 2. *Maintenance*: It shall be the responsibility of the owners and their agents to insure proper
  - 97 maintenance of the landscaping, in accordance with the standards set forth in the Development
  - 98 Plan. This is to include, but is not limited to, replacing dead plantings with identical varieties

99 or a suitable substitute, and keeping the area free of refuse and debris.

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101 **5.39 SI-01: Sign Standards**

UDO Page 5-50

102 **ICONS: P1, S1, S2, R1, R2, R3, R4, R5, B1, B2, B3, B5, B6, B7, B8, C1, C2, I1, M3**

103 **Permanent Sign Standards**

104 **L. Permanent Signs in a C1 & C2 District:**

- 105 1. *Sign Classification:* Sign classification shall follow the permanent sign standards by building
- 106 or complex type per Sections 5.39(F) through (K).
- 107 2. *Number:* The number of permanent signs shall be in accordance with the project standards
- 108 established by the Carmel Redevelopment Commission.
- 109 3. *Maximum Sign Area:* Sign areas shall follow the permanent sign standards by building or
- 110 complex type per Sections 5.39(F) through (K).
- 111 4. *Maximum Height Of Ground Sign:* Sign heights shall follow the permanent sign standards by
- 112 building or complex type per Sections 5.39(F) through (K).
- 113 5. *Location:* The location of permanent signs shall be in accordance with the project standards
- 114 established by the Carmel Redevelopment Commission.
- 115 6. *Design:* Sign areas shall follow the permanent sign standards by building or complex type per
- 116 Sections 5.39(F) through (K).
- 117 7. *Illumination:* Permitted.

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119 **5.78 YS-01: General Yard Standards**

UDO Page 5-78

120 **ICONS: P1, S1, S2, R1, R2, R3, R4, R5, B1, B2, B3, B5, B6, B7, B8, ~~C1, C2~~, I1, M3**

- 121 A. On lots fronting on two non-intersecting streets, a front yard shall be provided on both streets
- 122 (double frontage).
- 123 B. Corner Lots:
  - 124 1. There shall be a Front Yard provided on both Streets.
  - 125 2. On Corner Lots that are Lots of Record, the buildable Lot Width shall not be reduced to less
  - 126 than twenty-eight (28) feet, except that there shall be a Side Yard of at least five (5) feet along
  - 127 each Side Lot Line.
  - 128 3. The minimum buildable Lot Width of twenty-eight (28) feet for a principal building is reduced
  - 129 to twenty-two (22) feet for an accessory building.
- 130 C. Where a frontage is divided among districts with different front yard requirements, the deepest
- 131 front yard required shall apply to the entire frontage.
- 132 D. There may be two (2) or more related multiple-family, hotel, motel or institutional buildings on a
- 133 lot provided that:
  - 134 1. The required yards be maintained around the group of buildings, and
  - 135 2. Buildings that are parallel or that are within forty-five degrees (45°) of being parallel be
  - 136 separated by a horizontal distance that is at least equal to the height of the highest building.
- 137 E. Those parts of existing buildings that violate yard regulations may be repaired and remodeled, but
- 138 any addition shall provide the required yards.
- 139 F. The minimum width of side yards for schools, libraries, churches, community buildings, and other
- 140 public and semi-public buildings in residential districts shall be twenty-five (25) feet, except where
- 141 a side yard is adjacent to a Business, Industrial or Manufacturing District, in which case the width
- 142 of that yard shall be as required in the district in which the building is located.
- 143 G. Open, unenclosed porches (not under roof) or patios may extend ten (10) feet into a front yard.
- 144 H. Terraces which do not extend above the level of ground (first) floor may project into a required
- 145 yard, provided these projections be a distance of at least two (2) feet from the adjacent side lot line.
- 146 I. No side yards are required where dwellings are erected above commercial and industrial structures,
- 147 except such side yard is required for a commercial or industrial building on the side of a lot
- 148 adjoining a residential district.
- 149 J. Sills, belt courses, window air-conditioning units, window wells, cornices, and ornamental features

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may project into a required yard a distance not to exceed twenty-four (24) inches.

- K. Normal roof overhang, open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues shall be permitted to project into required yards for a distance of not more than forty-eight (48) inches when so placed as to not obstruct light and ventilation.

**5.80 YS-03: Non-Residential Yard Standards**

**UDO Page 5-79**

**ICONS: P1, B1, B2, B3, B5, B6, B7, B8, C1, C2, I1, M3**

**A. Business, Industrial and Manufacturing Districts:**

- 1. Alley space shall not be included for loading and unloading berths.
- 2. Where twenty-five percent (25%) or more of the lots of record in a block are occupied by buildings, the average setback of such buildings shall determine the dimension of the front yard in the block.
- 3. Parking is permitted in the required front yard in the Business and Industrial Districts.

**Section III:** All prior Ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

**Section IV:** This Ordinance shall be in full force and effect from and after its passage and signing by the Mayor.

172 **ADOPTED** by the Common Council of the City of Carmel, Indiana this \_\_\_\_\_ day of  
173 \_\_\_\_\_ 2019, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

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176 **COMMON COUNCIL FOR THE CITY OF CARMEL**

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180 Jeff Worrell, President Anthony Green

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183 Laura D. Campbell, Vice-President H. Bruce Kimball

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185 \_\_\_\_\_  
186 Ronald E. Carter Kevin D. Rider

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188 \_\_\_\_\_  
189 Sue Finkam

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191 ATTEST:

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195 \_\_\_\_\_  
196 Christine S. Pauley, Clerk-Treasurer

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199 Presented by me to the Mayor of the City of Carmel, Indiana this \_\_\_\_ day of  
200 \_\_\_\_\_ 2019, at \_\_\_\_\_ .M.

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205 Christine S. Pauley, Clerk-Treasurer

206  
207 Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of  
208 \_\_\_\_\_ 2019, at \_\_\_\_\_ .M.

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211 \_\_\_\_\_  
212 James Brainard, Mayor

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214 ATTEST:

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218 \_\_\_\_\_  
219 Christine S. Pauley, Clerk-Treasurer

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221 Prepared by:  
222 Adrienne Keeling, Planning Administrator, One Civic Square, Carmel, IN 46032

223 12/16/2019

**CERTIFICATION  
OF THE CARMEL PLAN COMMISSION'S RECOMMENDATION  
ON THE PETITION TO THE CITY OF CARMEL  
TO AMEND THE ZONING ORDINANCE  
PURSUANT TO INDIANA CODE 36-7-4-605**

**ORDINANCE  
Z-649-19**

**C1 & C2 District Amendments**

**To: The Honorable Common Council  
Of the City of Carmel  
Hamilton County, Indiana**

2019 NOV 22 P 12: 28

Dear Members:

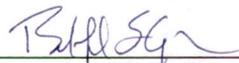
The Carmel Plan Commission offers you the following report on the application **Docket No. 19100001 OA** - petitioning to amend the Unified Development Ordinance in order to correct the standards in the C1 & C2 Districts from the conversion to the Unified Development Ordinance.

The Carmel Plan Commission's recommendation on the petition of the applicant is **'Favorable.'**

At its regularly scheduled meeting on November 19, 2019, the Carmel Plan Commission voted Eight (8) in Favor, Zero (0) Opposed, One (1) Absent, to forward to the Common Council the proposed **Ordinance No. Z-649-19** with a **"Favorable Recommendation"**.

Please be advised that by virtue of the Plan Commission's **Favorable** Recommendation, pursuant to IC 36-7-4-607(e), the Council has ninety (90) days to act on this petition before it becomes effective as Certified by the Commission. Ninety days from the date of the Certification is Thursday, February 20, 2020.

CARMEL PLAN COMMISSION

BY:   
\_\_\_\_\_  
Brad Grabow, President

ATTEST:

  
\_\_\_\_\_  
Joe Shestak, Secretary  
Carmel Plan Commission  
Dated: November 22, 2019

**ORDINANCE NO. D-2507-19**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF CARMEL, INDIANA, AMENDING SECTION 8-48 OF CHAPTER 8, ARTICLE 5 OF THE CARMEL CITY CODE**

**Synopsis:** Regulating parking in a parking lot located on Tax Parcel 16-09-25-16-02-024.001, and updating certain parking restrictions within the City.

**WHEREAS**, the City of Carmel, Indiana (“City”), pursuant to Indiana Code § 9-21-1-3, within the reasonable exercise of its police power, may by ordinance regulate vehicular parking;

**WHEREAS**, the City has previously regulated vehicular parking within its corporate limits, such regulation being codified, in part, under Carmel City Code Section 8-48; and

**WHEREAS**, the Common Council of the City now finds that it is in the interests of public safety and welfare to regulate parking in a parking lot located on Tax Parcel 16-09-25-16-02-024.001, and to further regulate parking within the City.

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

Section 1. The foregoing Recitals are fully incorporated herein by this reference.

Section 2. The following subsection of Carmel City Code Section 8-48(a) is hereby added to read as follows:

**(13) The parking lot generally bounded on the north by Alley 1st, on the south by 40 S. Rangeline Road, on the west by undeveloped land with the Tax Parcel 16-09-25-16-02-027.000, and on the east by 30 S. Rangeline Road, the same being primarily located on Tax Parcel 16-09-25-16-02-024.001.**

Section 3. The following subsection of Carmel City Code Section 8-48(d) is hereby amended to read as follows:

**(4) On the north side of Main Street between its intersection with the Monon Greenway to a point 186 feet east of the intersection of Main Street and Rangeline Road, and from a point 227 feet east of the intersection of Main Street and Rangeline Road to a point ~~570~~930 feet east of the intersection of Main Street and Rangeline Road. On the south side of Main Street from a point 147 feet east of the intersection of the Monon Greenway and Main Street to a point 343 feet east of the intersection of the Monon Greenway and Main Street, from a point 42 feet east of the intersection of Main Street and 1st Avenue S.W. to a point 217 feet east of the intersection of Main Street and 1st Avenue S.W., and from a point 277 feet east of the intersection of Main Street and Rangeline Road to a point 326 feet east of the intersection of Main Street and Rangeline Road.**

Ordinance D-2507-19

Page One of Three

This Ordinance was prepared by Benjamin J. Legge, Assistant Corporation Counsel, on December 4, 2019, at 12:16 P.M. No subsequent revision to this Ordinance has been reviewed or approved by Mr. Legge for legal sufficiency or otherwise.

47 Section 4. The following subsection of Carmel City Code Section 8-48(d) is hereby added to  
48 read as follows:

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50 **(50) The five spaces located on the west side of Rangeline Road in front of the 918 S Rangeline**  
51 **Road building.**  
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54 Section 5. The remaining provisions of Carmel City Code Section 8-48 are not affected by this  
55 Ordinance and shall remain in full force and effect.

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57 Section 6. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance  
58 are hereby repealed, to the extent of such inconsistency only, as of the effective date of this Ordinance,  
59 such repeal to have prospective effect only. However, the repeal or amendment by this Ordinance of any  
60 other ordinance does not affect any rights or liabilities accrued, penalties incurred or proceedings begun  
61 prior to the effective date of this Ordinance. Those rights, liabilities, and proceedings are continued and  
62 penalties shall be imposed and enforced under such repealed or amended ordinance as if this Ordinance  
63 had not been adopted.

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65 Section 7. If any portion of this Ordinance is for any reason declared to be invalid by a court of  
66 competent jurisdiction, such decision shall not affect the validity of the remaining portions of this  
67 Ordinance so long as enforcement of same can be given the same effect.

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69 Section 8. This Ordinance shall be in full force and effect from and after the date of its passage  
70 and signing by the Mayor and such publication as required by law.

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72 Section 9. The Carmel Street Department is directed to promptly add the appropriate signage to  
73 fulfill the mandates contained in this Ordinance upon its passage.

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This Ordinance was prepared by Benjamin J. Legge, Assistant Corporation Counsel, on December 4, 2019, at 12:16 P.M. No subsequent revision to this Ordinance has been reviewed or approved by Mr. Legge for legal sufficiency or otherwise.

93 **PASSED** by the Common Council of the City of Carmel, Indiana, this \_\_\_\_ day of \_\_\_\_\_,  
94 20\_\_\_\_, by a vote of \_\_\_\_ ayes and \_\_\_\_ nays.  
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96 **COMMON COUNCIL FOR THE CITY OF CARMEL**

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98 \_\_\_\_\_  
99 Jeff Worrell, President

\_\_\_\_\_ Anthony Green

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103 Laura D. Campbell, Vice-President

\_\_\_\_\_ H. Bruce Kimball

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107 Ronald E. Carter

\_\_\_\_\_ Kevin D. Rider

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111 Sue Finkam

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113 ATTEST:  
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115 Christine S. Pauley, Clerk-Treasurer

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118 Presented by me to the Mayor of the City of Carmel, Indiana this \_\_\_\_ day of  
119 \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ .M.

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121 \_\_\_\_\_  
122 Christine S. Pauley, Clerk-Treasurer

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125 Approved by me, Mayor of the City of Carmel, Indiana, this \_\_\_\_ day of  
126 \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_ .M.

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128 \_\_\_\_\_  
129 James Brainard, Mayor

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131 ATTEST:  
132 \_\_\_\_\_  
133 Christine S. Pauley, Clerk-Treasurer

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136 Ordinance D-2507-19  
137 Page Three of Three

This Ordinance was prepared by Benjamin J. Legge, Assistant Corporation Counsel, on December 4, 2019, at 12:16 P.M. No subsequent revision to this Ordinance has been reviewed or approved by Mr. Legge for legal sufficiency or otherwise.