

## ORDINANCE NUMBER 16-█

### AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE

This is a Planned Unit Development District Ordinance (to be known as the "**Open Doors PUD DISTRICT**") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

**WHEREAS**, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

**WHEREAS**, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 16█-PUD-█**), requesting an amendment to the Unified Development Ordinance, the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

**WHEREAS**, the Commission forwarded **Petition No. 16█-PUD-█** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a █ recommendation (█-█) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

**WHEREAS**, the Secretary of the Commission certified the action of the Commission to the Common Council on █, 2016;

**WHEREAS**, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

**Section 1. Applicability of Ordinance.**

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Open Doors PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented

or expressly made inapplicable by this Ordinance.

1.3 Chapter (“*Chapter*”) and Article (“*Article*”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.

1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2.** **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

2.1 **Illustrative Character Exhibit:** The architectural building elevations, attached hereto as **Exhibit C.**

2.2 **Underlying Zoning District:** The Zoning District of the Unified Development Ordinance that shall govern the development of this District as set forth in Section 4 of this Ordinance.

**Section 3.** **Concept Plan.** The Concept Plan for the Real Estate, attached hereto as **Exhibit B,** is hereby incorporated in accordance with Article 10.9(F)(2) Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

**Section 4.** **Underlying Zoning District(s).** The Underlying Zoning District shall be the AGSF-1: Single Family Low Density District.

**Section 5.** **Permitted Uses.** The permitted uses shall be as set forth below.

5.1 All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted in addition to an office/warehouse/distribution use providing food, household item and clothing assistance as well as referral to community services, to individuals and families.

**Section 6.** **General Regulations.** The standards of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District except as otherwise modified below.

6.1 The Minimum Lot Area, Lot Frontage, Building Setback Lines, Lot Width shall be zero (0) feet.

6.2 Subdivision standards shall not apply to the development of the Real Estate.

**Section 7.** **Development Standards.** The standards of Chapter 6: Development Standards shall apply to the development of the District except as otherwise modified

below.

- 7.1 Article 6.3 Architectural Standards: The building on the Real Estate shall be constructed in substantial compliance with the Illustrative Character Exhibit.
- 7.2 Article 6.8 Landscaping Standards: Shall apply, except as otherwise modified below.
  - A. Landscaping identified on the landscape plan associated with a Development Plan for the Real Estate shall satisfy all Landscaping Requirements.
- 7.3 Article 6.9 Lighting Standards: Shall apply.
- 7.4 Article 6.14 Parking and Loading Standards: Shall apply, except as otherwise modified below.
  - A. The minimum number of required Off-street Parking spaces shall be five (5).
  - B. No Bicycle Parking shall be required.
- 7.5 Article 6.17 Sign Standards: Shall apply, except as otherwise modified below.
  - A. One ground sign a maximum of thirty (30) square foot and six (6) foot shall be permitted along Tomlinson Road at the entrance to the adjoining real estate.
  - B. One twenty (20) square foot wall sign shall be permitted on the building.

**Section 8.** **Infrastructure Standards.** The District's infrastructure shall comply with the Unified Development Ordinance and the City's Construction Standards (see Chapter 7: Subdivision Regulations), unless otherwise approved by the Plan Commission or Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

**Section 9.** **Design Standards.** The standards of Chapter 8: Design Standards shall apply to the development of the District.

**Section 10.** **Development Plan Review.** The standards of Article 10.7 Development Plan Review shall apply to the development of the District, except as otherwise modified below.

- 10.1 Article 10.7.E Development Plan Review Criteria: The review and approval process for Development Plan Review shall be delegated to the Director of the Economic and Community Development Director of the City.

*[Remainder of page intentionally left blank, signature page follows]*

ALL OF WHICH IS ORDAINED/RESOLVED THIS \_\_ DAY OF \_\_\_\_\_, 2016.

WESTFIELD CITY COUNCIL

**Voting For**

**Voting Against**

**Abstain**

\_\_\_\_\_  
Jim Ake

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Jim Ake

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Jim Ake

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James J. Edwards

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James J. Edwards

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James J. Edwards

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Steven Hoover

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Steven Hoover

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Steven Hoover

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Robert L. Horkay

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Robert L. Horkay

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Robert L. Horkay

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Mark F. Keen

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Mark F. Keen

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Mark F. Keen

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Charles Lehman

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Charles Lehman

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Charles Lehman

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Cindy L. Spoljaric

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Cindy L. Spoljaric

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Cindy L. Spoljaric

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 16-█** was delivered to the Mayor of Westfield  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-█**  
this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

I hereby VETO **ORDINANCE 16-█**  
this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
J. Andrew Cook, Mayor

\_\_\_\_\_  
J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenger  
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

Open Doors PUD District Ordinance Draft #1 042816

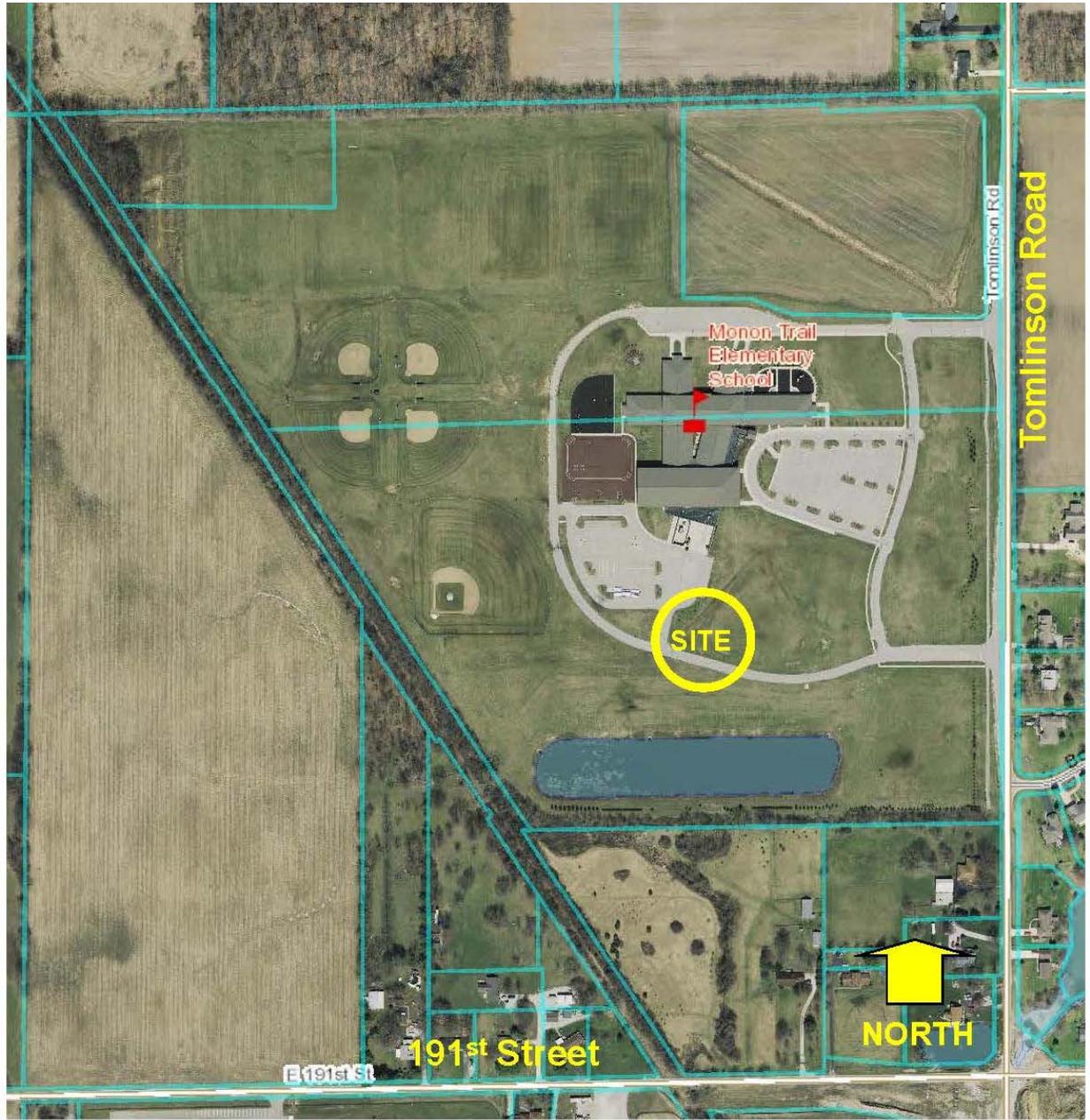
**SCHEDULE OF EXHIBITS**

- Exhibit A     Real Estate (Legal Description)
- Exhibit B     Concept Plan
- Exhibit C     Illustrative Character Exhibit

**EXHIBIT A**  
**REAL ESTATE**  
(Page 1 of 2)

Add legal

**EXHIBIT A**  
**REAL ESTATE**  
(Page 2 of 2)



**EXHIBIT B**  
**Concept Plan**



Note: Larger scale paper and digital copies of the Concept Plan are on file with the Department of Economic and Community Development under Docket Number 16--PUD-.

**EXHIBIT C**  
**Illustrative Character Exhibit**



Note: Larger scale paper and digital copies of the Character Exhibit are on file with the Department of Economic and Community Development under Docket Number 16--PUD-.