Aurora

PLANNED UNIT DEVELOPMENT

ORIGINAL ORDINANCE

Ordinance No.: 06-55

Adoption Date: December 11, 2006

Instrument No.: 2007002778

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2007002778 ORDI $327.00
01/16/2007 11:47:47A 159 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 06-55

AN ORDINANCE OF THE TOWN OF WESTFIELD CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

BEST POSSIBLE IMAGE
ALL PAGES

WHEREAS, The Town of Westfield, Indiana and the Township of Washington, both of Hamilton County, Indiana are subject to the Westfield Washington Township Zoning Ordinance; and

WHEREAS, the Westfield-Washington Township Advisory Plan Commission ("Commission") considered a petition (docket 0607-PUD-09) filed with the Commission to rezone certain lands; and

WHEREAS, the Commission did take action to forward the request to the Westfield Town Council with a negative recommendation under the provision of IC 36-7-4-605; and

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Town Council on October 24, 2006; and

WHEREAS, the Westfield Town Council is subject to the provision of IC 36-7-4-608(g) concerning any action on this request.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT TITLE 16 OF THE WESTFIELD CODE OF ORDINANCE BE AMENDED AS FOLLOWS:

SECTION 1. WC-16-04 Zoning maps amended as follows:

The Zoning Map accompanying and made a part of the Zoning Ordinance is amended to reclassify the Real Estate located at 20416 Grassy Branch Road from AG-SF-1 and GB to Aurora PUD See attached Maps and zoning commitments described in the attached booklet identified as Exhibit A entitled "Aurora, A Planned Unit Development" submitted by CR White Development, LLC

SECTION 2. This ordinance shall be in full force and effect from and after its passage

ALL OF WHICH IS HEREBY ADOPTED BY THE TOWN COUNCIL OF WESTFIELD, HAMITON COUNTY, INDIANA THIS 11 DAY OF Dec, 2006.

WESTFIELD TOWN COUNCIL

Voting For	Voting Against	Abstain
Teresa Otis Skelton	Teresa Otis Skelton	Teresa Otis Skelton
Jack Hart	Jack Hart	Jack Hart
David Mikesell	David Mikesell	David Mikesell
Bob Smith	Bob Smith	Bob Smith
Ron Thomas	Ron Thomas	Ron Thomas

ATTEST:

Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Jerry Rosenberger, Town Manager

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Signed

WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION
CERTIFICATION

The Westfield-Washington Township Advisory Plan Commission met on Monday, October 23, 2006, to consider a proposed change in zoning of approximately 315 acres, from the AG-SF-1 District to the GB District, 0607-PUD-09. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana. The proposed text amendment is as follows:

0607-PUD-09 20416 Grassy Branch Road. C.R. White Development LLC requests a change in zoning for approximately 315 acres from the AG-SF-1 and GB Districts to the Aurora PUD District.

A motion was made and passed to send 0607-PUD-09 to the Town Council with a negative recommendation (5-1-0).

I, Al Salzman, being the Acting Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on October 23, 2006.

Al Salzman, Acting Secretary

October 24, 2006
Date

0607-PUD-09 **20416 Grassy Branch Road.** C.R. White Development LLC requests a change in zoning for approximately 315 acres from the AG-SF-1 and GB Districts to the Aurora PUD District.

EXHIBIT LIST

1. Staff Report, 08/28/06
2. WPWD Comment Letter, 08/11/06
3. Petitioner's Exhibits, 08/16/06

PETITION HISTORY - OCTOBER 23, 2006:

The October 23, 2006 appearance of this petition before the Advisory Plan Commission represents the second appearance of this petition. A public hearing for this petition was held on **August 28, 2006,** at which time this petition was referred to the Comprehensive Plan Subcommittee of the APC.

The CPSC met to consider this petition on September 20, October 4, and October 18, 2006. Items discussed included the availability of sewer service for the proposed development, the character of the proposed development abutting US 31, transitions between uses with the proposed development, transitions between the proposed development and abutting properties, the range of uses permitted in each proposed area, the development standards associated with each proposed area, open space, pedestrian connectivity, and other details of the proposal. The subcommittee and staff also discussed changes to the text of the proposed ordinance.

After the three CPSC meetings concluded, the attending members of the CPSC were of a split opinion. Two members suggested a negative recommendation be delivered to the full APC. One member expressed a neutral reaction to the proposal. Two CPSC members were not in attendance, and had not offered comment throughout the subcommittee process.

PETITION HISTORY – AUGUST 28, 2006:

The August 28, 2006 hearing of this petition represents the required public hearing for this request. This petition was considered by the Westfield Town Council on July 10, 2006, and August 14, 2006. Comments received were generally supportive.

PROCEDURE

The petitioner has held the neighborhood meeting required by the terms of the PUD ordinance. The petition file includes the petitioner's recounting of the required neighborhood meeting. The petitioner has also verbally indicated that additional meetings have occurred with individual neighbors and groups of neighbors.

GENERAL ANALYSIS

This rezone request concerns an area of land generally located at the southwest corner State Road 38 and Grassy Branch Road. The subject site is comprised of nine parcels, and consists of approximately 315 acres. The subject site is unimproved. The subject site abuts the right-of-way of State Road 38 to the north, Grassy Branch Road to the east, and includes the right-of-way of 203rd Street within the subject site. The portion of the subject site added to the petition after the initial filing abuts the right-of-way of 202nd Street to the north and US 31 to the west. The Beals and Cox drain crosses the subject site from north to south along the west side of the Grassy Branch Road right-of-way.

The subject site is zoned both AG-SF-1 and GB. Properties abutting the subject site to the north, east and west are zoned AG-SF-1, are developed with single-family detached dwellings, and are used for single-family uses or agricultural purposes. Property abutting the southernmost portion of the west property line is zoned GB, and is used commercially. Property abutting the subject site to the south is zoned SF-2, and is predominantly used agriculturally. Two properties abutting the subject site to the south are improved with single-family dwellings and associated out-buildings, and one property is used commercially. The subject site also abuts a small cemetery on three sides.

The petition is proposing to change the zoning of the subject site from the AG-SF-1 and GB districts to the Aurora PUD district. Terms of the Aurora PUD would provide for single-family attached dwellings, multi-family dwellings, commercial uses, industrial uses, and dedicated civic areas. An anticipated phasing proposal is included, and indicates the approximate acreages anticipated for each proposed land use. The petition would provide for a minimum of twenty acres of public park area, forty-seven acres of multi-story office park, seventy-two acres of office and industrial warehouse area, fourteen acres of retail commercial, thirty-six acres of multi-family apartments, and eighty-one acres of townhomes, attached "quads" and paired dwellings. The terms of the proposed ordinance identify anticipated acreages for each proposed use, and provide for an increase or decrease of up to fifteen percent for each proposed area. However, the maximum number of units permitted within the proposal is capped at 760, regardless of increases or decreases in district size.

ANNEXATION

The majority of the subject site is currently located within corporate limits, but the portion of the subject site added after the initial filing is not within the corporate limits. A petition for annexation of the unincorporated part of the subject site would need to accompany any request for a change in zoning.

COMPREHENSIVE PLAN

The Westfield Washington Township 2020 Comprehensive Plan includes a portion of the subject site within the Medium Intensity commercial development recommendation, further stating that development of this nature is typified by one- to three- story office development. The Westfield Washington Township 2020 Comprehensive Plan includes the majority of the subject site within the Low Intensity commercial development recommendation, further stating that development of this nature is typified office and showroom or industrial development. The standards of the Aurora PUD permit development that would be generally consistent with this recommendation.

The Westfield Washington Township 2020 Comprehensive Plan identifies the portion of the subject site abutting Grassy Branch Road as acceptable for medium-intensity multi-family residential development. This recommendation further states that an overall density of between three to four dwelling units per acre would be appropriate in a multi-family district in this vicinity, and that development of between four to ten units per acre could be acceptable if appropriate transitions were employed. While support for higher-density single-family detached dwellings could be found in the recommendations of the 2020 Plan, the final proposal does not propose the inclusion of any single-family dwellings. The terms of the Aurora PUD provide for a maximum of 760 dwelling units within the subject site, which would result in a gross density of approximately 2.41 units per acre. This density would be generally consistent with the recommendations of the Comprehensive Plan.

INDIANA CODE

IC 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.

The Westfield Washington Township 2020 Comprehensive Plan recommends portions of the subject site for Medium Intensity commercial development, portions for Low Intensity commercial development, and portions for Medium Intensity Multi-family residential development. The uses proposed would be generally consistent with the recommendations of the Comprehensive Plan.

2. Current conditions and the character of current structures and uses.

The subject site is unimproved and portions of the subject site are used agriculturally. Abutting properties are improved with single-family detached dwellings, used agriculturally, or used commercially.

3. The most desirable use for which the land is adapted.

The proximity of portions of the subject site to two existing major thoroughfares and the major infrastructure improvements anticipated by the Water and Sewer Master Plan have

the potential to make the land less-suitable for continued agricultural use. Given these influential factors, the proposal may represent the most desirable use for the subject site.

4. The conservation of property values throughout the jurisdiction.
This proposed change is expected to have neutral or positive impacts on property values within the vicinity and jurisdiction.

5. Responsible growth and development.
The subject site is partially within the existing corporate limits. The site is contiguous to other major pending developments, and development of the subject site would be consistent with the principle of contiguous growth.

PLANNED UNIT DEVELOPMENT EVALUATION

The purpose of the planned unit development district is to provide the opportunity to design and construct a single project comprised of a mixture of land uses, zoning classifications, residential densities and nonresidential intensities. The opportunity to develop a site as a Planned Unit Development (PUD) is also considered an opportunity to improve the design, character, and quality of new development, to encourage a harmonious and appropriate mixture of uses, and to arrange improvements on a site so as to preserve desirable features.

The proposed Aurora PUD ordinance would provide for multi-family housing units, attached single-family dwellings, office uses, retail uses, industrial uses, and dedicated public open space. The proposed Aurora PUD is designed in a manner that buffers dissimilar uses within the proposed development, and also locates uses of lower intensity adjacent to abutting existing dwellings. Design elements found within the proposed ordinance include a path network, a boulevard streetscape, public open spaces and a variety of housing types.

Given that the aspects of the proposal identified above are consistent with the purpose of the PUD statute, it is the staff opinion that the proposal represents a valid use of the PUD ordinance.

PUD ORDINANCE EVALUATION

The Aurora PUD follows the approach first seen in the recently-adopted Eagle Station PUD. This approach to the structure of the proposed ordinance revises all pertinent aspects of the applicable Zoning Ordinance text, letting the revised text dictate the development of the subject site instead of the provisions of the underlying district. As per the terms of the PUD ordinance, existing districts from the W-WT Zoning Ordinance are still to be adopted as underlying districts as a precaution. However, given the approach to the construction of the proposed ordinance, it is unlikely the terms of the underlying district will need to be consulted in the application of this PUD.

It is the opinion of the staff that this approach is preferable to the manner in which PUD applications had previously been submitted.

Residential Districts
The petition proposes three separate attached single-family dwelling areas, which would be considered most consistent with the terms of the SF-A District. The standards have been modified to provide the opportunity for the development of townhomes and "doubles" as well as the "quad"-style units typically anticipated in the SF-A District.

The petition further proposes a multi-family district, which would be most similar to the existing MF-2 District. The terms of the proposed multi-family area would also provide for the development of townhomes.

Within each residential district, proposed landscaping and architectural standards are incorporated directly into the applicable district, as opposed to residing within a separate section of the ordinance. Proposed architectural standards and landscaping standards closely approximate those within existing W-WT ordinances, with some improvements to required building materials.

Retail District
The proposed Aurora PUD would provide for dedicated commercial area. The proposed Shoppes area is most consistent with the existing LB District of the W-WT Zoning Ordinance, but provides for additional flexibility in design beyond the terms of the existing ordinance by modifying required lot sizes, parcel coverage, and setbacks. The proposed Shoppes area would require adherence to include parking standards, landscape standards, and architectural standards specific to the Shoppes area. The proposed architectural standards could be considered to be improved beyond the standards in the existing W-WT Zoning Ordinance, as they require additional details and features in addition to the aspects specified by the terms of DPR. The proposed commercial area also proposes a limited list of uses and a maximum square footage for any single use, which would contribute to ensuring a neighborhood or local scale to the proposed Shoppes area.

Office District
The proposed Aurora PUD would provide for an office area abutting the right-of-way of US 31. The terms of the proposed Business Parke area would require multi-story buildings with consistent setbacks abutting US 31, and would encourage similar large-scale, multi-story office development in lots within the Business Parke not abutting US 31. Access to the proposed Business Parke would be via internal roads, and no direct access to US 31 is permitted.

The proposed terms of the Aurora PUD borrow extensively from Carmel, Indiana's US 31 Overlay ordinance, with a few exceptions in the case of required architectural elements. The proposed ordinance would mandate a larger individual lot size than the

terms of the Carmel ordinance, which would contribute to ensuring the large-scale multi-story development proposed.

Industrial District
The proposed Aurora PUD would provide for a single industrial area with two distinct sub-areas. The Commerce Parke area proposed separate standards and permitted uses for Area One and Area Two, which are identified on the proposed concept plan. The two proposed areas are distinguished by whether or not they are adjacent to the proposed New Frontage Road or 202nd Street. Proposed industrial lots in Area One, abutting either of the roads, would be limited in terms of outside storage, and uses would be restricted to less-intense industrial uses. The development standards and uses associated with Area One of the Commerce Park are most consistent with the Enclosed Industrial district of the existing W-WT Zoning Ordinance.

The portion of the proposed Commerce Parke area identified as Area Two would be more permissive in terms of outdoor storage, and would provide for reduced building materials and paving standards. The development standards and uses associated with Area Two of the Commerce Park are most consistent with the Open Industrial district of the existing W-WT Zoning Ordinance.

Amenities
The petition proposes a series of amenities throughout the residential areas of the proposed development. An integrated trail system, a playground, and a minimum number of swimming pools and small parks are proposed. Two clubhouse facilities, one of which would be required to provide a fitness center, would also be required.

Infrastructure
The petition proposes the provision of additional right-of-way abutting existing public roads in accordance with the widths recommended by the Hamilton County thoroughfare plan. The petition further proposes the provision of an internal public roadway network that would facilitate the re-alignment of 202nd Street and 203rd Street. The petition would also provide for the re-routing of Grassy Branch Road within the subject site. The petition would also comply with the terms of the Westfield-Washington Township Water and Sewer Master Plan.

Aspects of the proposed development would require modification to the existing standards of improvement for public rights-of-way. The petition proposes alleys, boulevard streets, and streets with reduced rights-of-way, curve radii, and design speeds. The petition clearly establishes WPWD as the authority in terms of approval and acceptance of infrastructure.

MODIFICATIONS TO THE PUD ORDINANCE
At the October 18, 2006 Comprehensive Plan Subcommittee meeting, the petitioner verbally indicated a willingness to modify aspects of the proposal to address concerns of staff and of the CPSC. However, as the information for the October 23, 2006 Advisory

Plan Commission hearing had already been distributed, the petitioner did not provide an amended document, instead offering to provide the proposed changes in list form at the October 23, 2006 APC hearing. Any changes to the proposed document presented at the October 23, 2006 APC hearing should be incorporated into a final document prior to this petition appearing before the Westfield Town Council.

COMMITMENTS

The petition does not currently include any proposed commitments, either to the Town or to abutting property owners. While staff has not been made aware of any commitments agreed to between the petitioner and abutting property owners, any such commitments should be filed with the staff of the Westfield Community Development Department prior to any hearing of this petition by the Westfield Town Council.

Further, the petitioner is still in negotiations with WPWD to finalize agreements as to responsibility and timing of proposed infrastructure improvements associated with this petition. Any commitments relating to these items should also be filed with the staff of the Westfield Community Development Department prior to any hearing of this petition by the Westfield Town Council.

RECOMMENDED MOTION

Recommend approval to the Westfield Town Council, subject to any proposed commitments.

WESTFIELD PUBLIC WORKS

DIRECTOR OF PUBLIC WORKS
BRUCE A. HAUK

TOWN COUNCIL
JOHN B. HART
DAVID D. MIKESELL
TERESA OTIS SKELTON
ROBERT J. SMITH
RONALD W. THOMAS

CLERK-TRASURER
CINDY J. GOSSARD

November 8, 2006

Westfield Town Council
130 Penn Street
Westfield, IN 46074

RE: Aurora PUD Review

Dear Town Council Members:

For your consideration, Public Works has met with this petitioner on several occasions concerning the June 23, 2006 comment letter. We have come to agreements on all comments except the Road Impact Fee and Road Improvements Agreement. At this time the petition is asking for road impact fee credits for improvements to 202nd/203rd Street, a proposed Frontage Road that currently partially exists as a private roadway and would be continued as part of this development, and improvements to and/or realignment of Grassy Branch Road. WPWD feels that the cost of realignment of Grassy Branch Road is creditable toward road impact fees, but not the other improvements or right of way.

We would also like to thank the petitioner for their dedication and commitment to addressing the concerns of Westfield Public Works Department.

Thank you for your time and consideration of the concerns of the Westfield Department of Public Works associated with this project. Your past and future dedication to the Town is truly appreciated. If you have any questions or concerns regarding the information contained in this letter, please contact the WPWD office by telephone at 317-896-5452.

Sincerely,

Renée Lynn Goff

Renee L. Goff, P.E.
Engineer
Westfield Public Works Department

CC: Mr. Jerry Rosenberger, Town Manager
Mr. Chris White, CR White Development, LLC
Mr. Bruce Hauk, Director Westfield Public Works Department
Mr. Kurt Wanninger, Division Manager, Westfield Public Works Department
Mr. Al Salzman, Planner, Westfield Community Development

AURORA PUD

ORDINANCE NO. 06-55

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA

This PUD Ordinance (the "Aurora PUD") amends the Westfield-Washington Township Zoning Ordinance (the "Zoning Ordinance") and the Westfield-Washington Township Zoning Map (the "Zoning Map") of the Town of Westfield, Washington Township, Hamilton County, Indiana;

WITNESSETH:

WHEREAS, the Westfield-Washington Township Advisory Plan Commission (the "Plan Commission") conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by CR White Development, LLC (the "Developer") for the real estate containing approximately 314 acres, legally described on Exhibit A, attached hereto, and incorporated herein by reference, and located in Washington Township, Hamilton County, Indiana (the "Real Estate");

WHEREAS, under Docket Number 0607-PUD-09, on the 23rd day of October, 2006, the Plan Commission, by a vote of 6 - 1, forwarded this proposal to the Westfield Town Council (the "Town Council") with a negative recommendation;

WHEREAS, the words and terms used throughout this Aurora PUD shall have the meanings ascribed to them in Article I, attached hereto;

NOW, THEREFORE, BE IT ORDAINED by the Town Council, meeting in regular session, that the Zoning Ordinance and Zoning Map are hereby amended as follows:

SECTION 1. LEGISLATIVE INTENT. Having given reasonable regard to (i) the comprehensive plan, (ii) current conditions and the character of current structures and uses in the Real Estate, (iii) the most desirable use for which the Real Estate is adapted, (iv) conservation of property values throughout the Town of Westfield and Washington Township, and (v) responsible development and growth, it is the intent of the Plan Commission in recommending, and the Town Council in adopting, to:

A. Encourage flexibility in the development of land in order to promote its most appropriate use;

B. Improve the design, character and quality of new development;

C. Encourage a harmonious and appropriate mixture of uses;

D. Facilitate the adequate and economic provisions of streets, utilities, and municipal services;

E. Preserve the natural environmental and scenic features of the Real Estate;

F. Encourage and provide a mechanism for arranging improvement on-site so as to preserve desirable features; and

G. Mitigate the problems which may be presented by specific site conditions.

SECTION 2. EFFECT. The concept plan (the "Concept Plan"), attached hereto as Exhibit C, allocates the Real Estate into the following districts (the "Districts"):

- Business Parke;
- Commerce Parke;
- The Shoppes;
- The Townes;
- The Vistas;
- The Villas;
- The Gardens; and
- Sunrise Park.

This Aurora PUD and its exhibits shall govern the use and development of the Districts and shall supersede the standards of the Westfield Washington Township Zoning Ordinance. Unless otherwise specified herein, the owner(s) of the Real Estate shall comply with the terms, conditions, and procedures of PUD Ordinance 02-01 (WC 16.04.190) as they existed and were in force on the date of filing of this Aurora PUD (the "PUD Ordinance") attached here to as Exhibit B.

SECTION 3. SIZE OF DISTRICTS. The approximate size of each District is shown below. The size of any District may be increased or decreased by up to 15% so long as there is no increase in the total permitted number of residences.

District Acreage (approximate)	
Business Parke	56 acres
Commerce Parke	85 acres
The Shoppes	17 acres
The Townes	40 acres
The Vistas	36 acres
The Villas	36 acres
The Gardens	18 acres
Sunrise Park	24 acres
Total	314 acres

The individual districts shall not exceed the following individual district maximums, and when combined, the total number of residential units on the Real Estate shall not exceed 694 units.

Maximum Number of Dwelling Units	
The Townes	290 units
The Vistas	287 units
The Villas	124 units
The Gardens	96 units

SECTION 4. UNDERLYING DISTRICTS. The Real Estate is reclassified on the Westfield - Washington Township Zone Map (the "Zone Map") from the AG-SF1 and GB District Classifications to the Planned Unit Development District (PUD) Classification, the underlying zoning classification of which shall be as follows:

- Business Parke – GB
- Commerce Parke – EI
- The Shoppes – LB
- The Townes – MF-2
- The Vistas – MF-2
- The Villas – SF-A
- The Gardens – SF-A
- Sunrise Park – AG-SF1

SECTION 5. DISTRICTS. The Real Estate shall be developed for residential, commercial, industrial and recreational uses as more particularly shown on the Concept Plan.

Upon motion duly made and seconded, this Aurora PUD was fully passed by the members of the Town Council this 11th day of December, 2006.

TOWN COUNCIL

TOWN OF WESTFIELD, INDIANA

BY:

AYE		NAY
_____	Robert Smith	_____
_____	David Mikesell	_____
_____	John Hart	_____
_____	Teresa Skelton	_____
_____	Ronald Thomas	_____

ATTEST:

_____

Cindy Gossard, Clerk-Treasurer

Town of Westfield, Indiana

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ARTICLE I

DEFINITIONS

The following words and terms, not defined elsewhere in the Aurora PUD or its Exhibits, shall have the following meanings:

1. Architectural Review Committee. The board established by a Declaration of the Developer for the purpose of reviewing the design of all structures to be constructed in a particular Area.

2. Association. A home owners association, property owners association or other organization formed in order to govern and maintain the various Districts as established by Declaration.

3. Aurora Parkway. The s-shaped road that runs between The Gardens/The Villas and The Townes, as shown on the Concept Plan (see Exhibit C).

4. Building Height. Building height shall be measured (i) from the average ground level at the foundation of the residence and/or structure facing the street (ii) to the highest point of the roof for a flat roof; to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs. Chimneys, elevators, tanks, and other similar structures shall not be included in calculating height.

5. Build-To Line. A designated line at which construction of a building façade is to occur.

6. Corner Break. An exterior corner along the façade of a structure.

7. Declaration. A Declaration of Covenants, Conditions and Restrictions for one (1) or more Areas of the Real Estate which shall be recorded in the office of the Recorder of Hamilton County, Indiana, and which may be from time to time amended.

8. Design Vocabulary. A code of architectural style and massing recommendations, building detail guidelines, listing of acceptable materials and colors, and landscape and streetscape details adopted by a Developer and applied by an Architectural Review Committee in considering plans for structures to be constructed in the Real Estate.

9. Developer. The Developer shall be the entities engaged in the development of the Districts within the Real Estate, and the successors or assigns of such entities.

10. Director. The Director of the Westfield Community Development Department.

11. District. Any of the Residential Districts, the Commercial District, and/or the Business Districts as identified in the Aurora PUD.

12. District, Residential. The Townes, The Vistas, The Villas, The Gardens, and Sunrise Park.

13. Dormer. Projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides (dormer cheeks), and a window set vertically in front.

14. DPR. The process of Development Plan Review as specified in this Aurora PUD (Article XIII).

15. EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base coat, and an attractive and durable finish coat.

16. External Street. Grassy Branch Road, U.S. 31 and State Highway 38

17. Façade, Primary. The primary architectural façade which contains commercial or retail public entrances, tenant signs or the façade facing a dedicated street.

18. Façade, Secondary. Any building elevation not having commercial or retail public entrances and does not contain tenant signs. Secondary façades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary façades do not face dedicated or private streets.

19. Gable. That part of the end wall of a building between the eaves and a pitched or gambrel roof.

20. Internal Street. Any Public Street, Private Street, or Shared Drive other than an External Street.

21. Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.

22. Masonry. Wall building material, such as brick or stone which is laid up in small units or blocks.

23. Meridian Corridor. The right-of-way for United States Highway 31.

24. Model Home. Dwelling temporarily used in the connection with the sales of similarly built residential dwellings that will eventually be sold as a residential dwelling.

25. Natural Materials. Brick, wood, limestone, fiber cement siding, cultured stone, or natural

stone.

26. New Frontage Road. The new north/south frontage road that is tentatively planned to run parallel to U.S. 31 North as identified on the Concept Plan.

27. Open Space. Any part of the Real Estate not covered by public streets, private streets, buildings, or parking lots. Open Space may include, but shall not be limited to, preserved wetlands, preserved woodland areas, trails, parks, plazas, courtyards, landscaped and screening areas and recreation areas, including Sunrise Park. Open Space shall not include land within a platted building lot nor required retention ponds. Open Space shall be located generally in the areas as denoted on the Concept Plan, which supersedes the Green Belt Space, Secondary Green Space, and all other Open Space requirements set forth in the Zoning Ordinance. Except as provided above, any of the area of this Aurora PUD (except for required retention ponds) that is dedicated to a neighborhood association, the public, or whose ownership is transferred to a municipal entity for public use shall be factored into the total amount of Open Space.

28. Real Estate. The real estate, as described in Exhibit A.

29. Subdivision Control Ordinance. The Subdivision Control Ordinance of the Town of Westfield and Washington Township in force at the time of the filing of this Aurora PUD.

30. Zoning Ordinance. The Town of Westfield and Washington Township Zoning Ordinance.

ARTICLE II

BUSINESS PARKE

The terms, conditions, and provisions of this Article shall apply to the use and development of Business Parke. Section 16.04.070 (US Highway 31 Overlay Zone) of the Zoning Ordinance shall be inapplicable to the use and development of the Real Estate, as appropriate standards are specified in Article II, Business Parke, and the corresponding Exhibits of this Aurora PUD.

A. Permitted Uses.

1. Offices
2. Hotels
3. Retail and Services
   a. May be included in one or more buildings within a Development Plan (DP), subject to the following:
      i. May comprise up to 15% of the Gross Floor Area (GFA) of any building; or
      ii. Up to thirty percent (30%) of GFA of one building may be retail uses, provided that:
         (a) Total square footage of retail uses designated in the development plan does not exceed fifteen percent (15%) of the GFA of all buildings combined; or,
         (b) Retail uses over fifteen percent (15%) of the GFA of any one building be located on the ground floor or below grade.
4. Accessory buildings and uses customarily incidental to any of the permitted uses. Any attached or detached Accessory building shall have on all sides the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the Principal Building(s) with which it is associated.

B. Minimum Lot Size.

1. Lots abutting the Meridian Corridor – 5 acres
2. All other lots – 2 acres

C. Development Standards. – The purpose of this Section is to provide site design requirements that align buildings along the edges of a parcel and towards the public right-of-way of the

Meridian Corridor. It is the intent of these regulations to orient new buildings with their longest axis parallel to the adjoining highway or street to create a sense of enclosure along the streets, with parking located to the rear, and, if necessary, to the side of a building.

1. Build-To Lines.
   a. Lots abutting the Meridian Corridor – 90 feet
   b. All other lots – None
   c. All principal buildings on lots with Meridian Corridor frontage shall be located on the Build-To Line.
   d. Dimensional requirements for the Build-To Line shall be measured from the road right-of-way line.
2. Minimum Front Yard – 60 feet
3. Minimum Side Yard.
   a. Adjacent to any residential use or zone – 45 feet
   b. Adjacent to any non-residential use or zone – 15 feet
4. Minimum Aggregate Side Yard.
   a. Adjacent to any residential use or zone – 90 feet
   b. Adjacent to any non-residential use or zone – 30 feet
5. Minimum Rear Yard.
   a. Adjacent to any residential use or zone – 45 feet
   b. Adjacent to any non-residential use or zone – 15 feet
6. Minimum Building Height.
   a. Lots abutting the Meridian Corridor – 38 feet and 3 occupiable floors
   b. All other lots – 14 feet
7. Maximum Building Height.
   a. All uses along New Frontage Road – 55 feet
   b. All other lots – 150 feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or zone.
8. Minimum Lot Width. – Shall equal or exceed that amount which is one-half (½) the

depth of the lot.

9. Minimum Gross Floor Area.

   a. Buildings on lots abutting the Meridian Corridor – 15,000 square feet per building (exclusive of parking garages, basements or accessory buildings).

   b. Buildings on all other lots – 10,000 square feet (exclusive of parking garages, basements or accessory buildings).

   c. Permitted accessory buildings need not meet this minimum floor area requirement. The intent of this minimum gross floor area requirement is to preclude small, freestanding buildings and uses not in character with the Business Parke.

10. Maximum Lot Coverage. – 65%

11. Minimum Lot Frontage on Road. – 50 feet

12. Minimum Lot Width at Building Line. – No Minimum

13. Parking. – See Article XVI

14. Landscaping. – See Article XVII

15. Signs. – See Article XVIII

16. Lighting. – See Article XIX

D. Architectural Standards.

1. Context. All buildings shall be designed with respect to the general character of the Business Parke, and particularly, with due consideration to buildings located on lots that abut the project site.

2. A minimum of three materials shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass, ornamental metal.

3. Large expanses of glass are allowed, up to seventy percent (70%) of the façade area.

4. The building may not be constructed entirely of a metal and glass curtain wall.

5. Concrete block is not allowed as an exterior finish material.

6. All buildings fronting on the Meridian Corridor shall be designed with a minimum of eight (8) external corners.

7. Sloped roofs shall not exceed one hundred (100) feet without a change in roof plane, or

gable or dormer. Sloped roofs shall be either standing seam metal or dimensional shingles.

8. Building penthouses must be incorporated into the building façade design, including exterior materials specifications.

E. Outside Storage of Refuse. – Unenclosed storage of refuse (whether or not in containers) or display of merchandise shall not be permitted on any project. All refuse shall be contained completely within the Principal Building or Accessory Building. Any Accessory Building for refuse storage shall be:

1. Designed to include a roof structure; and
2. Architecturally compatible with the Principal structure (including compatible materials)

F. Loading and Unloading Areas.

1. Loading and Unloading Berth or Bay shall not be oriented to U.S. Highway 31.
2. Loading and Unloading Berths or Bays oriented toward any other public right-of-way, shall be landscaped/screened using masonry wall(s), plant material, or a combination thereof.

G. Waivers. – The applicant may request a Plan Commission Waiver to the dimensional and quantitative standards of this Article, by not greater than thirty-five percent (35%).

ARTICLE III

COMMERCE PARKE

The terms, conditions, and provisions of this Article shall apply to the use and development of Commerce Parke.

A. Permitted Uses.

1. Permitted Uses.

   a. Area I. (as identified on the attached Concept Plan, see Exhibit C): All uses permitted in the Commercial Businesses and Industrial Businesses sections of the Commerce Parke Permitted Uses (See Article XIV). Any other business that can be classified as either general business or light industrial will be eligible with the approval of the Director.

   b. Area II. (as identified on the attached Concept Plan, see Exhibit C): All uses permitted in the Industrial Businesses section of the Commerce Parke Permitted Uses (See Article XIV). Any other business that can be classified as light industrial will be eligible with the approval of the Director.

2. Accessory buildings and uses customarily incidental to any of the permitted uses.

3. Outside Storage.

   a. Uses in the Commerce Parke shall be permitted to have outside storage subject to the screening requirements as set forth in this Aurora PUD ordinance.

   b. No outside storage will be permitted on the north side of 203rd Street

   c. No outside storage will be permitted within two-hundred feet (200') of the south right-of-way of 203rd Street

   d. No outside storage will be permitted within two-hundred feet (200') of the east right-of-way of the New Frontage Road.

B. Development Standards for Area I.

1. General Standards.

Minimum Lot Area:	1 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet
Maximum Building Height:	35 feet

2. Parking. – See Article XVI

3. Landscaping. – See Article XVII

4. Sign Standards. – See Article XVIII

5. Lighting. – See Article XIX

6. Dumpsters. Dumpsters shall not be located in the front of any building. Dumpsters that are not located within an enclosed storage area shall be completely screened by materials: (i) that match the architecture and materials of the building which the dumpster is serving; and (ii) that measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

7. Service/Material Yard and Storage Areas.

   a. Must be completely screened as follows:

      i. The Masonry Wall ("Masonry Wall") shall extend perpendicular from the building, and then extend a minimum twenty-five feet (25') down each side yard. A masonry wall shall be not less than eight feet (8') in height and not more than the eave of the roof, shall be constructed with architectural block, brick or decorative tilt up concrete, except for entrances, and shall as closely as possible match the architecture of the building.

      ii. At the termination of the Masonry Wall, a minimum eight-foot (8') high opaque wood privacy fence shall enclose the balance of the yard/storage area. The style and quality of the wood privacy fence, as determined by the Developer, shall be consistent throughout the Commerce Parke.

iii. Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the wall or fence. Equipment and vehicles shall be stored at their lowest state.

b. Must be finished as follows:

i. An area fifty feet (50') in depth adjacent to the building and high-volume travel lanes in storage areas must be hard surfaced with asphalt or poured concrete pavement.

ii. At a minimum, the balance of the yard/storage area must be finished with stone. If stone is used, such storage areas must have dust control measures implemented by the user during operation.

iii. No curbing shall be required around yard/storage areas.

8. Display Areas. Are permitted in the front yard areas of buildings subject to the following:

a. Such display areas are not located within the required front yard setback.

b. Such display areas must be landscaped as provided in this Aurora PUD.

c. Such display areas may not exceed 500 square feet nor display more than three (3) products unless otherwise approved by the Director.

9. Overhead Doors. No overhead doors shall be oriented towards a public right-of-way.

10. Loading Docks. Any loading dock shall be designed to be visually obscured from public right-of-way by buildings, topography, vegetation and/or landscaping.

C. Development Standards for Area II.

1. General Standards.

Minimum Lot Area:	1 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	25 feet

Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet
Maximum Building Height:	35 feet

2. Parking. – See Article XVI

3. Landscaping. – See Article XVII

4. Sign Standards. – See Article XVIII

5. Lighting. – See Article XIX

6. Dumpsters. Dumpsters shall not be located in the front of any building. Dumpsters that are not located within an enclosed storage area shall be completely screened by materials: (i) that match the architecture and materials of the building which the dumpster is serving; and (ii) that measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

7. Service/Material Yard and Storage Areas.

   a. Must be completely screened by a minimum eight-foot (8') high opaque wood privacy fence.

   b. The style and quality of the wood privacy fence, as determined by the Developer, shall be consistent throughout the Commerce Parke.

   c. Must be finished, at a minimum, with stone. If stone is used, such storage areas must have dust control measures implemented by the user during operation.

   d. No curbing shall be required around service/material, storage yard areas.

   e. Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the wall or fence. Equipment and vehicles shall be stored at their lowest state.

   f. Travel lanes providing access to loading docks and to storage areas must be hard surfaced with asphalt or poured concrete pavement.

g. Employee and visitor parking areas must be hard surfaced with asphalt or concrete pavement.

8. Display Areas. Are permitted in the front yard areas of buildings subject to the following:

   a. Such display areas are not to be located within the required front yard.

   b. Such display areas must be landscaped as provided in this Aurora PUD.

9. Overhead doors. May be used in the primary façade.

10. Loading docks. May be placed in secondary façade elevations.

D. Architectural Standards.

1. Roof Design.

   a. Roofs may be either residential in character or Low Slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.

   b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.

   c. Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).

   d. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:1.

2. Façade Rule. – All building elevations shall either be considered a primary or secondary façade.

3. Façade Materials for Area I.

   a. Primary Façade Materials.

      i. Appropriate building finish materials for the primary façade include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain),

architectural block (textured) and EIFS (Dryvit) wall systems if at least eight feet (8') above grade ("Masonry Materials").

ii. Inappropriate, prohibited building finish materials for the primary façade include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

iii. Primary façades may have window glazing or glass storefronts. Tall storefront windows to reflect a commercial main street appearance are encouraged.

iv. The use of accent and trim elements (accent panels, banding, cornices, Canopies/awnings etc.) for building trim is recommended to add visual interest and break down the scale of façades.

v. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Dryvit).

vi. Colors used on primary building façades must be complementary. Natural, muted colors should serve as the primary façade color, with brighter colors used as limited accents.

vii. Entries shall be clearly defined with architectural articulation including the following: porticos, overhangs, fabric awnings, cantilevered architectural metal canopies, covered arcades, and projecting architectural bays.

viii. Decorative architectural lighting is required at a minimum of one fixture every forty feet (40') on primary façades.

ix. No overhead doors are permitted in the primary façade of a building.

b. <u>Secondary Façade Materials.</u>

i. In addition to those materials permitted for the Primary Façade, the secondary façade may use steel or aluminum curtain wall systems.

ii. Secondary Façades facing side yards shall include at least two windows that match the size and scale of the windows on the Primary Façade.

iii. If a Secondary Façade facing a side yard includes a Masonry Wall, then the Secondary Façade shall include Masonry Materials at least eight feet (8') above grade and extending from the Primary Façade to the point the Masonry Wall meets the Secondary Façade.

iv. If a Secondary Façade facing a side yard does not include a Masonry Wall, then the Secondary Façade shall include Masonry Materials at least eight feet (8') above grade and extending to 25' from the Primary Façade.

v. Inappropriate, prohibited building finish materials on the secondary façades include: wood, plywood, unfinished concrete or concrete panels, plastics, reflective glass.

vi. Colors used on building façades must be complementary. Natural, muted colors should serve as the secondary façade color, with brighter colors used as limited accents.

vii. Lighting on secondary façades including wall pack lighting shall be full cut-off fixtures.

viii. Overhead doors are permitted to appear in secondary façade elevations.

4. Façade Materials for Area II.

a. Primary Façade Materials.

i. Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), EIFS (Dryvit) wall systems (if used for a maximum of 50% of the façade and only if it is used at least eight feet (8') above grade), steel or aluminum curtain wall systems (if used for a maximum of fifty percent (50%) of the façade).

ii. Inappropriate, prohibited building finish materials on the primary façades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

iii. Primary façades may have window glazing or glass storefronts.

iv. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Dryvit).

v. Colors used on building façades must be complementary. Natural, muted colors should serve as the primary façade color, with brighter colors used as limited accents.

vi. Decorative architectural lighting is required at a minimum of one fixture every 40 feet on primary façades.

vii. Overhead Doors are permitted in the primary façade elevations.

b. Secondary Façades Materials.

i. In addition to those materials permitted for the Primary Façade, the secondary façade may use steel or aluminum curtain wall systems.

ii. Inappropriate, prohibited building finish materials on the Secondary Façades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

iii. Lighting on secondary façades including wall pack lighting shall be full cut-off fixtures.

iv. Overhead doors are permitted in secondary façade elevations.

ARTICLE IV

THE SHOPPES

The terms, conditions, and provisions of this Article shall apply to the use and development of The Shoppes.

A. Permitted Uses. – See Article XV

B. Development Standards.

1. No single occupancy may exceed 65,000 gross square feet for an anchor tenant and provided the anchor tenant has a minimum of two separate and distinct customer entrances across the front of the building.

2. Bulk and Density Standards.

   a. Setbacks.

      i. Front – 50 feet

      ii. Side – 10 feet

      iii. Rear – 20 feet

   b. Lot coverage. Lot coverage shall not exceed 75 percent and is inclusive of buildings, parking areas and all other impervious surfaces which results in an open space requirement of 25 percent of the land area.

   c. Building height. Buildings are restricted to 35 feet maximum height or a maximum of two stories (pitched roofs are measured at the mid-point).

3. Architectural Standards.

   a. All structures shall be constructed with similar design, materials and compatible architecture.

   b. All buildings shall screen mechanical equipment including that which is mounted to the roof and/or ground.

c. The exterior of buildings adjacent to, visible from, or oriented towards a residentially zoned or occupied area or a public right-of-way shall consist of a brick, masonry or stone façade or stucco materials with masonry surface and appearance.

d. Façades that have greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet.

e. Where large retail structures contain additional, separately owned or leased stores that occupy less than 25,000 square feet of gross floor area and have separate, exterior customer entrances, the street level façade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building façade of such additional stores.

f. Drive-thru windows shall not be permitted to face State Road 38.

g. All building façades adjacent to, visible from, or oriented towards a residentially zoned or occupied area or a public right-of-way shall include a repeating pattern that includes no less than three (3) of the following elements:

   i. Color change;

   ii. Texture change;

   iii. Material module change;

   iv. An expression of architectural or structural bays through a change in plane no less than 12 inches in width, such as an offset, reveal or projecting rib.

4. <u>Roof Architecture</u>.

   a. Roofs shall have some combination of the following features:

      i. All roof areas shall restrict rooftop equipment such as HVAC units from public view. The average height of such roof area shall not exceed 15 percent of the height of the supporting wall and such parapets shall not at any point exceed 1/3 of the height of the supporting wall. Such roof features shall contain three-dimensional cornice treatment;

ii. Overhanging eaves, extending no less than three feet past the supporting walls;

iii. Three or more roof slope planes.

b. Office uses, separate retail tenants, single story and buildings of less than 50,000 square feet must have pitched roofs to be more residential in character.

c. No more than 50 percent of the roof shall be flat unless the roof has an architectural addition. Flat roofs shall have architectural significance, such as different sections of flat roofs so the roof can be given articulation with different heights. The look of the building shall therefore be softened by the feel of the façade.

5. Materials and colors.

a. Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, limestone, other native stone and tinted/textured concrete masonry units.

b. Façade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be permitted for building trim or accent areas.

d. Exterior building materials shall not include smooth-faced concrete block or prefabricated steel panels.

6. Entryways.

a. Each retail establishment greater than 20,000 square feet shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following:

i. Canopies or porticos;

ii. Overhangs;

iii. Recesses/projections;

iv. Arcades;

v. Raised corniced parapets over the door;

vi. Peaked roof forms;

vii. Arches;

viii. Architectural details such as tile work and moldings which are integrated into the building structure and design;

ix. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

b. All building façades which are visible from adjoining properties and/or public streets shall comply with the requirements above (i.e., i. thru ix.).

C. Pedestrian Circulation.

1. Sidewalks shall be a minimum of five feet in width, however, where applicable, they shall be eight feet asphalt in compliance with the Town's path requirements. Sidewalks or paths shall be provided along all sides of the lot that abut a public street.

2. Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all large retail structures on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds and ground cover.

3. Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any façade featuring a customer entrance, and along any façade abutting public parking areas. Such sidewalks shall be located at least six feet from the façade of the building to provide planting façade.

4. Internal pedestrian walkways provided in conformance with part 2 above shall provide weather protection features such as awnings or arcades within 30 feet of customer entrances.

5. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored

concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

D. Parking. – See Article XVI

E. Landscaping. – See Article XVII

F. Sign Standards. – See Article XVIII

G. Lighting. – See Article XIX

H. Accessory uses.

1. Dumpster and trash compactors shall be enclosed by a masonry enclosure and gated. The enclosure shall be at least two feet (2') taller than the dumpster or trash compactor. The gate shall be of a material that fully screens the dumpster or trash compactor.

2. Accessory structures including trash dumpster and compactors are not permitted within any front yard or within any side or rear setback requirements.

3. No outdoor sales areas are permitted unless surrounded by a permanent structure consistent with material of the building.

4. Permanent outdoor display areas are permitted provided that they are surrounded by a 2.5-foot tall masonry wall or wrought iron fencing or combination of the two.

ARTICLE V

THE TOWNES

The terms, conditions, and provisions of this Article shall apply to the use and development of The Townes.

A. Permitted Uses.

1. Townhomes.
2. Multi-story condominium.
3. Public Parks.
4. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
5. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
6. Signs as permitted in Article XVIII.
7. All utilities, both regulated and unregulated.
8. Child care home - in accordance with IC 36-7-4-1108.
9. Residential facility for mentally ill - in accordance with IC 12-28-4-7.
10. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities, all of which shall be made available to the residents within the Real Estate as specified in any Declaration.
11. Any amenity structures or facility or part thereof and adjacent amenity areas thereto may be rented out under terms and conditions approved by the Developer or Association. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director and shall not require an additional DPR.

B. Minimum lot area. – None

C. Minimum lot frontage on road. – None

D. Minimum setback lines – all construction.

1. Front yard — (corner lots are required two front yard setbacks)
   a. 10 feet alley load
   b. 18 feet front load

2. Side yard – minimum 15' between buildings
3. Rear yard – None

E. Minimum lot width at building line. – None

F. Maximum building height. – 45 feet

G. Minimum ground level square footage (exclusive of porches and terraces). – 700 square feet (including garage)

H. Maximum parcel coverage. – None

I. Minimum Open Space. – 10% of the District

J. Architectural Standards.

1. Elevations.
   a. The front elevation of a building shall be the façade containing a front door to the building.
   b. Fifty percent (50%) of the front façade of each building, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.
   c. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material.
   d. A shake style vinyl siding shall be a permitted material on the front elevation where masonry is not required.
2. A townhome building shall have a minimum of five (5) ridge lines.
3. Windows.
   a. A building shall have a minimum of three (3) windows on the front façade of the structure per unit (a building lacking a minimum of three (3) windows per unit on the front façade shall have one additional tree planted in the front yard)
   b. A building shall have two (2) windows on each of the two side façades.
   c. A building shall have three (3) windows per unit on the rear façade of the structure.
   d. A double window will count as two windows.
   e. All windows shall have either shutters and/or architectural treatment. For windows in brick façade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick façade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.
4. Garages shall be attached to the primary structure.

5. Garage doors shall not be oriented towards 203rd Street or Aurora Parkway.
6. Carports shall be prohibited.
7. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
8. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc, may be covered with a lower roof pitch.
9. Roof overhangs shall be a minimum of 8". Secondary elements such as porches, bays, walkways, etc, may be covered with fewer inches of overhang.
10. Roof vents shall be located to the rear half of the home/structure when possible. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
11. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

K. Parking. – See Article XVI

L. Landscaping. – See Article XVII

M. Lighting. – See Article XIX

ARTICLE VI
THE VISTAS

The terms, conditions, and provisions of this Article shall apply to the use and development of The Vistas.

A. Permitted Uses.

1. Townhomes.
2. Apartments.
3. Multi-story condominium.
4. Public Parks.
5. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
6. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
7. Signs as permitted in Article XVIII.
8. All utilities, both regulated and unregulated.
9. Child care home - in accordance with IC 36-7-4-1108.
10. Residential facility for mentally ill - in accordance with IC 12-28-4-7.
11. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities, all of which shall be made available to the residents within the Real Estate as specified in any Declaration.
12. Any amenity structures or facility or part thereof and adjacent amenity areas thereto may be rented out under terms and conditions approved by the Developer or Association. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director and shall not require an additional DPR.

B. Minimum lot area. – None

C. Minimum lot frontage on road. – None

D. Minimum setback lines – all construction.

1. Front yard – 50 feet
2. Side yard – minimum 40' between buildings
3. Rear yard – 50 feet

E. Minimum lot width at building line. – None

F. Maximum building height. – 45 feet

G. Minimum ground level square footage (exclusive of porches and terraces). – 700 square feet (including garage)

H. Maximum parcel coverage. – None

I. Minimum Open Space. – 10% of the District

J. Architectural Standards.

1. Elevations.

   a. The front elevation of a building shall be the façade containing a front door to the building.

   b. Fifty percent (50%) of the front façade of each building, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.

   c. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material.

   d. A shake style vinyl siding shall be a permitted material on the front elevation where masonry is not required.

2. A townhome or apartment building shall have a minimum of five (5) ridge lines.

3. Windows.

   a. A building shall have a minimum of three (3) windows on the front façade of the structure per unit (a building lacking a minimum of three (3) windows per unit on the front façade shall have one additional tree planted in the front yard)

   b. A building shall have two (2) windows on each of the two side façades.

   c. A building shall have three (3) windows per unit on the rear façade of the structure.

   d. A double window will count as two windows.

   e. All windows shall have either shutters and/or architectural treatment. For windows in brick façade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick façade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.

4. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.

5. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc, may be covered with a lower roof pitch.
6. Roof overhangs shall be a minimum of 8". Secondary elements such as porches, bays, walkways, etc, may be covered with fewer inches of overhang.
7. Roof vents shall be located to the rear half of the home/structure when possible. All vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
8. No two homes of the same elevation may be constructed next door to or directly across the street from one another.
9. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

K. Parking. – See Article XVI

L. Landscaping. – See Article XVII

M. Lighting. – See Article XIX

ARTICLE VII
THE VILLAS

The terms, conditions, and provisions of this Article shall apply to the use and development of The Villas.

A. Permitted Uses.

1. Two-unit thru four-unit single family attached dwellings.
2. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
3. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
4. Signs as permitted in Article XVIII.
5. All utilities, both regulated and unregulated.
6. Child care home - in accordance with IC 36-7-4-1108.
7. Residential facility for mentally ill - in accordance with IC 12-28-4-7.
8. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities, all of which shall be made available to the residents within the Real Estate as specified in any Declaration.
9. Any amenity structures or facility or part thereof and adjacent amenity areas thereto may be rented out under terms and conditions approved by the Developer or Association. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director and shall not require an additional DPR.

B. Minimum lot area. – None

C. Minimum lot frontage on road. – None

D. Minimum setback lines.

1. 30 feet from arterials
2. 20 feet from collectors and local streets

E. Minimum distance between structures.

1. Two-unit single family attached – 15'
2. Four-unit single family attached – 25'

F. Minimum square footage per dwelling unit, exclusive of porches, terraces, and garages.

1. Single story – 1,300 square feet
2. Two story – 1,600 square feet

G. Minimum Open Space. – 10% of the District

H. Architectural Standards.

1. Elevations.
   a. Masonry shall be the exterior building material on thirty percent (30%) of the surface of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.
   b. Masonry or natural materials shall be the exterior building material on the remaining exterior surfaces of the building, excluding openings, such as doors and windows, roofs, and any façade area within a dormer projecting from a roof.
   c. A shake style vinyl siding shall be permitted on the front façade where masonry is not required, not to exceed 30% of the total building façade.
2. Windows.
   a. Each unit shall have a minimum of three (3) windows on each façade.
   b. A double window will count as two windows.
   c. All windows shall have either shutters and/or architectural treatment. For windows in brick façade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick façade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.
3. Garage doors shall not be oriented towards 203rd Street or Aurora Parkway.
4. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
5. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
6. Roof overhangs shall, be a minimum of 8". Secondary elements such as porches, bays, walkways, etc, may be covered with fewer inches of overhang.
7. Roof vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
8. Each four-unit single family attached building shall be substantially similar in quality and character to the illustrative elevations found in Exhibit G.

9. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.

I. Parking. – See Article XVI

J. Landscaping. – See Article XVII

K. Lighting. – See Article XIX

ARTICLE VIII
THE GARDENS

The terms, conditions, and provisions of this Article shall apply to the use and development of The Gardens.

A. Permitted Uses.

1. Two-unit thru four-unit single family attached dwellings.
2. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
3. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
4. Signs as permitted in Article XVIII.
5. All utilities, both regulated and unregulated.
6. Child care home - in accordance with IC 36-7-4-1108.
7. Residential facility for mentally ill - in accordance with IC 12-28-4-7.
8. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities, all of which shall be made available to the residents within the Real Estate as specified in any Declaration.
9. Any amenity structures or facility or part thereof and adjacent amenity areas thereto may be rented out under terms and conditions approved by the Developer or Association. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director and shall not require an additional DPR.

B. Minimum lot area. – None

C. Minimum lot frontage on road. – None

D. Minimum setback lines.

1. 30 feet from arterials
2. 20 feet from collectors and local streets

E. Minimum distance between structures.

1. Two-unit single family attached – 15'
2. Four-unit single family attached – 25'

F. Minimum square footage per dwelling unit (exclusive of porches, terraces, and garages).

1. Single story – 1,300 square feet
2. Two story – 1,600 square feet

G. Minimum Open Space. – 10% of the District

H. Architectural Standards.

1. Elevations.
   a. Masonry shall be the exterior building material on thirty percent (30%) of the surface of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.
   b. Masonry or natural materials shall be the exterior building material on the remaining exterior surfaces of the building, excluding openings, such as doors and windows, roofs, and any façade area within a dormer projecting from a roof.
   c. A shake style vinyl siding shall be permitted on the front façade where masonry is not required, not to exceed 30% of the total building façade.
2. Windows.
   a. Each unit shall have a minimum of three (3) windows on each façade.
   b. A double window will count as two windows.
   c. All windows shall have either shutters and/or architectural treatment. For windows in brick façade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick façade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.
3. Garage doors shall not be oriented towards Aurora Parkway.
4. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
5. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
6. Roof overhangs shall, be a minimum of 8". Secondary elements such as porches, bays, walkways, etc, may be covered with fewer inches of overhang.
7. Roof vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
8. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards

so long as the deviations are in conformance with the intent of the established architectural requirements.

I. Parking. – See Article XVI

J. Landscaping. – See Article XVII

K. Lighting. – See Article XIX

ARTICLE IX
SUNRISE PARK

AG-SF1 - Agriculture/Single-Family 1. - The purposes of this district are to accommodate agricultural land uses and large-lot single-family residential land uses.

A. Permitted Uses.

1. Accessory buildings as related to agriculture or large lot single family residential use
2. Cemeteries
3. Churches
4. Child care home - in accordance with IC 36-7-4-1108
5. Farms and farm buildings for livestock and crops
6. Fire stations
7. Golf courses
8. Nurseries, greenhouses, truck gardens, farms, or related products produced and sold on site
9. Public Parks
10. Public and private camps
11. Residential facility for mentally ill - in accordance with IC 12-28-4-7
12. Schools - public or private - without dormitory accommodations
13. Signs as permitted by sign ordinance
14. Single family dwellings on large lots
15. Stables (on lots of 3 acres or more with a minimum of 200 foot setback from any adjoining property line)
16. Temporary buildings for construction purposes for a period not to exceed such construction
17. Utilities - all utilities regulated by the Indiana Utility Regulatory Commission or a Municipal governing body

B. Special Exceptions.

1. Airports and landing fields
2. Cemeteries – pet
3. Convents, monasteries, theological schools rectories and parish houses
4. Fraternities and lodges

5. Heliports
6. Lake developments – recreational
7. Large animal hospitals
8. Private clubs and lodges
9. Public or private schools with dormitories
10. Radio, facsimile, TV, micro-wave towers
11. Raising animals for biological purposes
12. Raising animals for furs or pets
13. Riding stables
14. Zoos

C. Permitted Home Occupations.

1. Art Studio
2. Beauty shop - one chair operated by a resident
3. Business conducted entirely by mail
4. Dressmaking
5. Home garage sales not to exceed 7 days per year
6. Homebound schools for 12 or less full-time or part-time children including residents of the home.
7. Personal motor vehicle sales not to exceed 2 vehicles per year.
8. Professional office of a clergyman, lawyer, architect, accountant, or counselor
9. Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the home and performed by members of the family living in the dwelling
10. Teaching - such as musical instruments or dancing
11. Typing or other office services
12. Permitted home occupations shall not include the employment of a person in addition to the occupant of the dwelling unit in performance of such services, and shall not include exterior display or exterior signs, except as such are permitted by the sign ordinance. There shall be no exterior storage of equipment or materials used in such home occupations.

D. Minimum Lot Area - three (3) acre

E. Minimum Lot Frontage on Road - 250 feet

F. Minimum Setback Requirements:

1. Front Yard – 100 feet: Expressways, Primary and Secondary Arterials
   80 feet: on all other roads
2. Side Yard – 30 feet
3. Rear Yard – 30 feet
4. Minimum Lot Width at Building Line – 100 feet

G. Maximum Building Height - not to exceed two and one-half (2 1/2) stories or 35 feet, whichever is lower.

H. Minimum single-family ground level square footage, exclusive of porches, terraces, and garages

1. Single story – 1350 square feet
2. Two story – 800 square feet
3. Tri-level – 800 square feet (basement & 1st level)
4. Story and one-half – 800 square feet

I. Parking - Off-street parking shall be provided in accordance with provisions set forth in WC 16.04.120, Off-Street Loading and Parking.

J. A subdivision, as defined in this ordinance, shall not be permitted in this district

K. For purposes of determining what portion of any parcel shall be classified for zoning purposes as agriculture and exempt from property tax liability under IC 33-4-3-4.1, any parcel larger than three (3) acres in size with agriculture uses located on a portion of the parcel and within the AG-SF1 district shall be classified as agriculture.

ARTICLE X
AMENITIES

A. The following Amenities will be distributed throughout the Residential Districts, for use by residents of districts designated by the Developer within the Real Estate:

1. 2 Clubhouses (at least 1 will contain a fitness center).
2. A minimum of one large park or athletic field complex (Sunrise Park, consisting of a minimum 20 acres).
3. A minimum of 3 small parks.
4. A minimum of 2 swimming pools and swimming pool areas.
5. A minimum of 1 playground.
6. Integrated trail system of a minimum 8' asphalt path connecting all districts, as shown on the Pedestrian Network Exhibit (Exhibit D).

B. Amenity areas shall not be located adjacent to the perimeter buffer yard for the existing home sites on Grassy Branch Road.

C. The amenities included in each Phase will be constructed at the time that phase is constructed (see Phasing Plan, Exhibit E).

ARTICLE XI
STREETSCAPE STANDARDS

The Streetscape Standards for the Real Estate shall replace and supersede the Zoning Ordinance, and shall be set forth in what is attached hereto and incorporated herein by reference as Article XI and to the extent they conflict with those set forth in the Zoning Ordinance and amendments thereto, they shall replace and supersede the Zoning Ordinance and amendments thereto.

A. Street Lights. At the Developer's discretion, custom and/or architectural streetlights may be substituted for standard streetlights specified in the Subdivision Control Ordinance. Such custom and/or architectural streetlights shall be installed at the developer's expense and maintained by the not-for-profit association for the area in which they exist. Streetlights may be permitted to be 16 feet tall.

B. Street Signage. In the Developer's discretion, the Developer shall be permitted to substitute custom signage for standard street signage specified in the Subdivision Control Ordinance. Such custom signage shall be installed at the developer's expense and maintained by the not-for-profit association for the area in which they exist.

C. Gas Lights. Gas lights may be used without shielding.

ARTICLE XII

STREET STANDARDS

A. A roundabout at the intersection of 203rd Street and Grassy Branch Road shall be designed for a speed less than 30 MPH.

   1. Approaches shall be designed at a speed of 30 MPH.

B. Local public street rights-of-way within the development shall be permitted to be 50' in width.

C. Local public streets with on-street parking on one side of the road shall be permitted to be 28' in width back of curb to back of curb.

   1. On-street parking shall be limited to one side of the road.

D. Local public streets without on-street parking shall be permitted to be 24' in width back of curb to back of curb.

E. Planting strips a minimum of 6' in width between curbs and sidewalks shall be permitted.

   1. Plantings shall be located a minimum of 4' from the curb.
   2. Plantings shall be located a minimum of 2' from the sidewalk.
   3. Plantings in the right-of-way shall be selected from the Westfield Public Works Department's list of allowable species.

F. Curvature measured along the centerline of local streets on the Real Estate shall have a minimum radius of 150', unless otherwise agreed upon by the Westfield Public Works Department or the developer.

G. Horizontal visibility on curved streets and vertical visibility on all streets must be maintained at a minimum of 150' along the centerline of local streets on the Real Estate.

   1. Any horizontal curve radius less than 150 feet shall be signed with warning signs for slower speeds and sharp turns ahead.

H. Driveways shall be permitted to be located closer than 75' from the intersection of two street

lines, provided that they are located on the furthest side of the lot from said intersection.

I. Utility easements adjacent to rights-of-way shall be permitted to be a minimum of 10' in width.

J. Utility easements not adjacent to rights-of-way must be determined based upon size and depth of pipe and agreed upon by the Westfield Public Works Department.

K. Private alleys shall be permitted and shall have a minimum ingress/egress easement of 20' in width.
   1. Private alleys shall have a minimum width of pavement of 14'.
   2. Private alleys shall be posted with a 10 MPH speed limit.
   3. Curbs shall not be required in private alleys.
   4. Private alleys shall comply with the Town's minimum cross section for pavement thickness.
   5. The development's homeowners association shall be responsible for the installation and maintenance of street trees and of private alleys.

L. Private streets shall be permitted and shall have a minimum ingress/egress easement of 50' in width.
   1. Private streets shall have a minimum width of pavement of 24'.
      a. On-street parking is prohibited on private streets.
   2. Private streets shall be designed for a speed of 25 MPH.
   3. Private streets shall be posted with a 25 MPH speed limit.
   4. Private streets shall comply with the Town's minimum cross section for pavement thickness.
   5. The development's homeowners association shall be responsible for the installation and maintenance of street trees and of private streets.

M. In order to maintain design flexibility within the Aurora PUD, the specifications of public streets on the Real Estate may be altered from the otherwise applicable street standards and construction standards of the Town of Westfield. Any alterations must be approved by the Director of the Department of Public Works.

ARTICLE XIII

DEVELOPMENT PLAN REVIEW

Purpose: A Development Plan Review process is hereby established for the Aurora PUD. The purpose of the Development Plan Review process is to: (i) promote innovation and creativity in the design of the built environment; and, (ii) assure the compatibility of new development or major additions to existing development with the surrounding community. The Development Plan Review Process shall be applicable to all zoning districts. The Development Plan Review Process shall be applicable to any: (i) new construction; (ii) building additions; (iii) new or expanded surface parking areas; (iv) new or expanded surface loading areas; or, (v) exterior building renovations that require a building permit. The approval or disapproval of a Development Plan is hereby delegated to the Plan Commission, or, in certain limited situations as set forth below, to the Director.

Section XIII.1. Districts Designated for Development Plan Review.

A. The approval of a Development Plan shall be a prerequisite for any: (i) new construction; (ii) building additions; (iii) new or expanded surface parking areas; (iv) new or expanded surface loading areas; or, (v) exterior building renovations that require a building permit.

B. Development Plan Authority.

1. Development Plan Authority Delegated to the Plan Commission. The authority to approve or disapprove a Development Plan for the following developments is hereby delegated to the Plan Commission:
   a. Any development for a use *other than* a Single Family Residential Use in a Residential District (The Townes, The Vistas, The Villas, The Gardens);
   b. Any proposed development in any Multi-Family District (The Townes, The Vistas);
   c. Any proposed development in any Business District (Business Parke, The Shoppes);
   d. Any proposed development in any Industrial District (Commerce Parke); and,
   e. Any proposed development of a Single Family Subdivision (The Villas, The Gardens)
2. Development Plan Authority Delegated to the Director. The authority to approve or disapprove a Development Plan for any proposed development of, or addition to, a single family dwelling or accessory residential structure on *an individual lot* within a Residential District is hereby delegated to the Director.

C. Development Requirements - General. Each Development Plan shall demonstrate compliance with the Development Requirements specific to each District as well as the following Development Requirements:

1. Compliance with all applicable development standards of the zoning district in which the real estate is located;
2. Compliance with all applicable provisions of this Aurora PUD;
3. Compliance with all applicable provisions of any Overlay District in which the real estate is located;
4. Compliance with all applicable provisions of the Subdivision Control Ordinance (unless a waiver has been granted, in which case compliance with the terms and conditions of the waiver grant shall be required);
5. Compliance with all applicable provisions of this Article (unless a waiver has been granted, in which case compliance with the terms and conditions of the waiver grant shall be required);
6. The proposed development shall be appropriate to the site and its surroundings based upon the recommendations contained in the Westfield – Washington Township Comprehensive Plan;
7. The design and location of proposed street and highway access points shall minimize safety hazards and congestion;
8. The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development;
9. The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development; and,
10. The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.

Section XIII.2. Development Plan Review – Development Requirements for Each District.

A. Any development for a use other than a Single Family Residential Use in a Residential District (The Townes, The Vistas, The Villas, The Gardens).

1. Site Access and Site Circulation.
   a. All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this

Ordinance by this reference;

b. All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,

c. Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

d. Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

2. Landscaping. – See Article XVII

3. Lighting. – See Article XIX

4. Building Orientation.

a. No loading spaces or loading docks shall be permitted to face a public street.

b. Loading spaces or loading docks facing or oriented to a side or rear lot line of an adjoining Residential District shall be screened from view from such Residential District by the use of: (i) evergreen trees; or, (ii) a combination of overstory, understory or evergreen trees and a solid wall or fence, which creates a dense visual barrier to a minimum height of six (6) feet.

5. Building Materials. – In order to insure compatibility of non-residential uses with surrounding residential uses in Residential Districts, all nonresidential uses shall use exterior building materials, roofline treatments and roofing materials that are compatible with and consistent with residential construction methods and materials.

B. Any Multi-Family District (The Townes, The Vistas).

1. Site Access and Site Circulation.

a. All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;

b. All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,

c. Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.

d. Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.

2. Landscaping. – See Article XVII
3. Lighting. – See Article XIX
4. Building Materials.
   a. The Townes – See Article V
   b. The Vistas – See Article VI

C. Any Business District (Business Parke, The Shoppes).

1. Site Access and Site Circulation.
   a. All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
   b. All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
   c. Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.
   d. Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.
2. Landscaping. – See Article XVII
3. Lighting. – See Article XIX
4. Building Orientation.
   a. Business Parke – See Article II
   b. The Shoppes – See Article IV
5. Building Materials.
   a. Business Parke – See Article II
   b. The Shoppes – See Article IV

D. Any Industrial District (Commerce Parke).

1. Site Access and Site Circulation.
   a. All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
   b. All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
   c. Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.
   d. Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.
2. Landscaping. – See Article XVII
3. Lighting. – See Article XIX
4. Building Orientation. – See Article III
5. Building Materials. – See Article III

E. Any Single Family Subdivision Development in a Residential District (The Villas, The Gardens).
1. Site Access and Site Circulation.
   a. All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;
   b. All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development; and,
   c. Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.
   d. Where site access has been officially approved by an agency other than the Town of Westfield, the Westfield – Washington Township Plan Commission shall not be compelled to include such approved access in the approval of the Development Plan.
2. Landscaping. – See Article XVII

3. Lighting. – See Article XIX
4. Building Orientation.
   a. The Villas – See Article VII
   b. The Gardens – See Article VIII
5. Building Materials.
   a. The Villas – See Article VII
   b. The Gardens – See Article VIII

6. Development Plan as Requirement for Primary Plat Approval. – Approval shall not be granted to any primary plat unless a development plan shall have been approved prior to or contemporaneous with the primary plat.

Section XIII.3. Findings Required for Approval of a Development Plan – The Plan Commission or Director may approve a Development Plan upon finding that:

1. The proposed development is consistent with the intent and purpose of the Westfield – Washington Township Comprehensive Plan; and,
2. The proposed development plan satisfies the development requirements specified in this Ordinance.

Section XIII.4. Development Requirements Which May Be Waived. – In order to encourage innovative building and site designs capable of enhancing the quality of the built environment of Westfield – Washington Township, the Plan Commission may, pursuant to IC 36-7-4-1402(b)(4), waive Development Requirements related to: Site Access and Site Circulation; Building Orientation; or, Building Materials, for the approval of a Development Plan upon making findings as specified in Section XIII.5, below. The Plan Commission may not waive any other Development Requirements. Any other Development Requirement must be complied with unless a variance of such Development Requirement is obtained from the Board of Zoning Appeals. If a Site Access waiver is requested, the Plan Commission may not grant such waiver unless a favorable review comment or letter regarding the site access waiver is received from the Town, County or State agency having jurisdiction over access to and from the applicable street.

Section XIII.5. Conditions for Waiver of Development Requirements. – Plan Commission may approve a waiver of Development Requirements only upon finding that:

A. The proposed development represents an innovative use of site design / site access design / site circulation design / building orientation / building materials / landscaping which will enhance the use or value of area properties;

B. The proposed development will not be injurious to the public health, safety, morals or general welfare of Westfield – Washington Township;

C. The strict application of the Development Requirements of the Westfield – Washington Township Zoning Ordinance will result in a development of the real estate which is undesirable when compared with the proposed development;

D. The proposed development is consistent with and compatible with other development located in the area; and,

E. The proposed development is consistent with the intent and purpose of the Westfield – Washington Township Comprehensive Plan.

Section XIII.6. <u>Plan Documentation and Supporting Information</u> – All requests for Development Plan approval shall include the following plans:

A. Site Plan. *

B. Site Plan (for individual single family dwellings or accessory residential structure on an individual lot in a Residential District).

C. Overall Plan. *

D. Landscape Plan. *

E. Building Elevations.

F. Lighting Plan. *

G. Site Access and Site Circulation Plan. *

H. A Traffic Impact Study (when a proposed development meets or exceeds the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction). *

I. Statement of Development Build-out. *

J. Green Space Provisions. *

* Items **not** required for an individual single family dwelling or accessory residential structure on an individual lot in a Residential District.

Section XIII.7. Procedures

A. Application for Development Plan Approval by the Plan Commission shall be in compliance with the following procedures:

1. Pre-Filing Conference. A pre-filing conference with Staff is required prior to the filing of any Development Plan for public hearing before the Plan Commission. At the pre-filing conference, the petitioner shall provide three (3) copies of a preliminary sketch plan capable of depicting the proposed development. Staff may take up to ten (10) business days to review the proposed sketch plan and provide comments back to the petitioner. The petitioner is encouraged to incorporate the comments received from Staff into the design of the project prior to filing for Development Plan approval. Not withstanding anything contained in this Ordinance to the contrary, neither the Staff's conceptual review of the sketch plan nor Staff's comments to the petitioner relating thereto shall be considered a denial, approval or decision concerning the proposed Development Plan.
2. Who May File. Development Plans may be initiated by a petition signed by the owners of the land involved in the petition, or the owner's authorized agent. If an authorized agent files a petition, a signed and notarized consent form must accompany the application.
3. Filing Deadline. All Development Plans shall be filed at least forty (40) days prior to the initial public meeting at which they are to be considered by the Plan Commission.
4. Forms of Filing. All Development Plans for public hearing by the Plan Commission shall be on forms provided by Community Services Department. In addition, Site Plans, Overall Plans, Landscape Plans, Building Elevations, Lighting Plans, Site Access and Site Circulation Plans, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality. The number of copies of all petitions and supporting documentation required to be filed shall be as established by the Community Services Department.
5. Findings of Fact. The petitioner shall, at the time of filing of the petition, file proposed detailed written findings of fact.
6. Specifying Request. All Development Plans shall specify the approvals or waivers requested. Any items, even if indicated on the proposed Site Plan, Overall Plan, Building Elevations or Site Access and Site Circulation Plan, shall not be considered a part of the request presented to the Plan Commission for its consideration unless specified in the

Development Plan.

7. Docketing by Community Services Department. Each Development Plan filed shall be reviewed for completeness. All Development Plans which are determined to be in proper form pursuant to the guidelines established by the Community Services Department shall, within ten (10) days of filing, be numbered and docketed by the Staff for an initial hearing by the Plan Commission.
8. Investigation of Petitions. Upon assignment of a number and hearing date, a copy of the Development Plan and relevant supporting documentation shall be distributed to members of Staff and the members of the Technical Advisory Committee for review and comment. The Director may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Development Plan, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Staff concerning the proposal contained in the Development Plan and a report from members of the Technical Advisory Committee. A copy of such statement shall be made available to the Petitioner and all remonstrators of record, if any.
9. Notice Requirements. All notices for public hearings regarding a Development Plan Approval before the Plan Commission shall be provided in accordance with the following requirements:
   a. Due and proper notice shall be served according to the provisions of Indiana law IC 5-3-1-2.
   b. Petitioners shall notify all contiguous property owners of public hearings via certified mail, which shall be received by the contiguous property owners at least ten (10) days prior to the date of public hearing.
   c. The petitioner must present a copy of public notice, proof of publication, and copies of certified mail receipts to the Community Services Department Staff at least five (5) days prior to the time of public hearing as proof of fulfilling due and proper notice requirements. Any Development Plan, which has been delegated to Director for approval, may occur without public notice and without a public hearing.
10. Conduct of Public Hearings. In order to provide all interested parties with a fair hearing, Petitioners and remonstrators shall be afforded a reasonable amount of time for the presentation of evidence, statements and argument at the public hearing of every Petition before the Plan Commission. The order of the presentation of evidence, statements and arguments shall be as follows:

a. Staff of the Plan Commission shall be given a reasonable time to introduce the matter being considered and for the presentation of evidence or statements regarding the petition being considered.

b. Petitioners shall be allotted a reasonable time to present evidence, statements and arguments in support of the petition being considered.

c. Plan Commission members shall be afforded the opportunity to ask questions about the petition of either Staff or the Petitioner.

d. Members of the public interested in the petition, whether for or against the petition, shall be allotted a reasonable time to present evidence, statements and arguments related to the petition being considered.

e. The Petitioner shall have a reasonable opportunity for rebuttal, which shall include only evidence, statements and argument in rebuttal of or in response to comments of Staff, the Plan Commission or members of the public, and a brief closing statement.

f. At the conclusion of remarks by any party, the Plan Commission shall have the right to ask questions pertaining to the evidence, statements and argument presented.

g. The presiding officer shall have authority to cut off repetitious and irrelevant testimony and shall make reasonable efforts to allow equal time for Petitioners and remonstrators.

h. All persons appearing at a public hearing shall act in an orderly and courteous manner. Discourteous, disorderly or contemptuous conduct shall be regarded as a breach of the privileges extended by the Plan Commission and shall be dealt with by the presiding officer as is deemed fair and proper.

B. Application for Development Plan Approval by the Director shall be accomplished in compliance with the following procedures:

1. All Development Plans for approval by the Director shall be on forms provided by Community Services Department. In addition, Site Plans, Building Elevations, surveys, legal descriptions, proposed commitments and any other relevant supporting documentation shall be of a usable scale and quality. The number of copies of a Development Plan and supporting documentation required to be filed shall be as established by the Community Services Department.

2. Contact the Director to make an appointment to deliver the Development Plan and provide a brief explanation of the proposed development.

3. Director shall have a period of not more than fifteen (15) days in which to review the

proposed Development Plan and either make a decision concerning the Development Plan or request, in writing, additional information from the applicant.

4. Director may seek the advice and comment of members of Staff or the Technical Advisory Committee prior to making a decision.
5. Any Development Plan, which has been delegated to the Director, may occur without public notice and without a public hearing.
6. Appeals of Determinations by Director. Any determination of the Director made under the authority of this Chapter may be appealed by any interested party to the Plan Commission within five (5) business days of such decision by filing a letter with the Plan Commission. Such letter shall request a hearing on the matter by the Plan Commission at the Plan Commission's next regularly scheduled meeting for which published notice of the appeal pursuant to I.C. 5-3-1 can be provided.

C. Fees. In order to defray administrative costs, the following fees shall be applicable:

1. Development Plans filed for Plan Commission approval – See the Zoning Ordinance; or,
2. Development Plans filed for Director's approval – included in the building permit fee.
3. The applicant shall pay all fees at the time of filing of a Development Plan.

D. Hearings. All public hearings regarding a Development Plan before the Plan Commission shall be conducted in accordance with the procedures set forth in the Rules of Procedure of the Plan Commission and in this Subsection.

E. Amendments.

1. Amendments to Development Plans pending determination by the Plan Commission.

   a. Amendments Proposed at a Public Hearing. The applicant may make amendments to Development Plans pending determination by the Plan Commission at any time prior to a vote being called for by the Plan Commission. If, in the sole discretion of the Plan Commission, the proposed amendment is of such a nature that additional time is needed for review, the Plan Commission may continue the consideration of such amended Development Plan to the next meeting of the Plan Commission.

   The Plan Commission, in its sole discretion, may assign a continued Development Plan to a committee of the Plan Commission for further review and evaluation prior to

the next meeting of the Plan Commission.

If amendments are presented by the Petitioner and agreed to by the Plan Commission at the public hearing, revised plans indicating all amendments, as approved by the Plan Commission, shall be filed with the Community Services Department within thirty (30) days of the Plan Commission hearing or prior to the issuance of an Improvement Location Permit, whichever is earlier.

b. Amendments To Development Plans Prior To Preparation of a Staff Report. In order for the written Staff Report regarding a Development Plan to include comments and recommendations related to plans amended in response to comments provided by Staff or members of the Technical Advisory Committee, any such amendments must be received by Staff at least two (2) weeks prior to the scheduled public hearing by the Plan Commission.

If the Director determines that additional changes have been made to the Development Plan beyond those necessary to comply with the recommendations of Staff or members of the Technical Advisory Committee, the Director may continue the public hearing of the Development Plan before the Westfield – Washington Township Plan Commission and require the re-submittal of the amended plans for review by Staff and members of the Technical Advisory Committee.

2. Amendments To Development Plans Pending Determination By The Director. The applicant may make amendments to Development Plans pending determination by the Director at any time prior to a determination being made by the Director. If, in the sole discretion of the Director, the proposed amendment is of such a nature that additional time is needed for review, the amended Development Plan shall be deemed a new filing and shall be reviewed within the time frames set forth in the Zoning Ordinance, above for the initial review of Development Plans by the Director.

3. Amendments to Approved Development Plans. Minor amendments to Development Plans which have already received approval from the Plan Commission or the Director and which do not involve: (a) an increase in height, area, bulk or intensity of land uses; (b) the designation of additional land uses; (c) the reduction in perimeter yards; (d) the

addition of driveways or access points; or, (e) reduction in the amount of parking for any use, may be authorized by the Director without a public hearing in its continuing administration of the Development Plan if, in the determination of the Director, the requested minor amendments do not adversely impact the purpose or intent of the overall development.

Such minor amendments authorized by the Director shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.

If the Director determines that the proposed minor modification is of such a nature as to adversely impact the purpose or intent of the overall development, or if the proposed modification includes an increase in intensity of any land use or if the proposed modification includes the designation of an additional land use(s), petitioner shall be required to file a new petition for Development Plan Approval.

Any decision of the Director regarding the amendment of Development Plan may be appealed by any interested party to the Plan Commission within thirty (30) days of such determination.

F. Signature for Findings. All findings specified above for the approval of a Development Plan shall be reduced to writing and signed by the Director of the Community Services Department in the case of a determination by the Director, or by the President of the Plan Commission in the case of a determination by the Plan Commission, and retained as a part of the permanent record of the determination.

Section XIII.8. Plan Documentation.

A. Site Plan (For Site Plan requirements for individual single family dwellings or accessory residential structure on an individual lot in a Residential District, see Section XIII.8.B below). A site plan (indicates the nature of the proposed development) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

1. North arrow;
2. Graphic scale;
3. Address of the site;

4. Proposed name of the development;
5. Area map insert showing the general location of the site referenced to major streets, section lines and Alternative Transportation System, as well as the zoning and land use of adjacent property;
6. Legal description of the site;
7. Boundary lines of the site including all dimensions of the site;
8. Names, centerlines and right-of-way widths of all streets, alleys and easements;
9. Layout, number, dimension and area (in square feet and acres) of all lots and out lots with zoning setback lines or building setback lines;
10. Location and dimensions of all existing structures, including paved areas;
11. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
12. Location and name of all existing and proposed public or private streets, access easements, Alternative Transportation System, and rights-of-way within two-hundred (200) feet of the site;
13. Location of all floodway and floodway fringe areas within the boundaries of the site;
14. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
15. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site.(e.g. parking - # of parking spaces required and provided, residence - # of dwelling units per net acre, office - gross floor area);
16. Structures proposed for demolition should be indicated as such;
17. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
18. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
19. All improvements to street system on-site and off-site;
20. Plan for sidewalks or Alternate Transportation System;
21. Measurement of curb radius and/or taper;
22. Names of legal ditches and streams on or adjacent to the site;
23. Location and type (e.g. ground, pole, wall) of all signs on the site;
24. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails or

other similar uses;

25. Existing zoning and land use of all adjoining real estate; and,
26. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
27. Director, in its sole discretion, may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.

B. Site Plan (Required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). A site plan (indicates the nature of the proposed development) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

1. North arrow;
2. Graphic scale;
3. Address of the site;
4. Legal description of the site;
5. Boundary lines of the site including all dimensions of the site;
6. Names, centerlines and right-of-way widths of all streets, alleys and easements;
7. Location and dimensions of all existing structures, including paved areas;
8. Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;
9. Location of all floodway and floodway fringe areas within the boundaries of the site;
10. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
11. Use of each structure by labeling and size (e.g. one story house – 1,200 sq. ft., detached garage – 576 sq. ft., storage shed – 120 sq. ft.);
12. Structures proposed for demolition should be indicated as such;
13. Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line.);
14. Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);
15. Measurement of curb radius and/or taper;

16. Names of legal ditches and streams on or adjacent to the site; and,
17. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
18. Director, in its sole discretion, may, in writing, waive or relax any of the Site Plan requirements listed above, which are not necessary to support a thorough review of the project.

C. Overall Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). An Overall Plan (if applicable, indicates the nature of the subject project and its relationship to the major features of the larger integrated center of which the project is a part) filed in connection with the submission of a Development Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

1. North arrow;
2. Graphic scale;
3. Address of the site;
4. Proposed name of the development;
5. Area map insert showing the general location of the site referenced to major streets, section lines and Alternative Transportation System, as well as the zoning and land use of adjacent property;
6. Legal description of the site;
7. Boundary lines of the site including all dimensions of the site;
8. Names, centerlines and right-of-way widths of all streets, alleys and easements;
9. Layout, number, dimension and area (in square feet and acres) of all lots and out lots with zoning setback lines and/or building setback lines;
10. Location and name of all existing and proposed public or private streets, access easements, Alternative Transportation System, and rights-of-way within two-hundred (200) feet of the site;
11. Location of all floodway and floodway fringe areas within the boundaries of the site;
12. Location of all existing and proposed utility facilities and easements, including, but not limited to: sanitary sewer, water, storm water management, electric, gas, telephone and cable;
13. All improvements to street system on-site and off-site;
14. Plan for sidewalks or Alternate Transportation System;

15. Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;
16. Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses;
17. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
18. Director, in its sole discretion, may, in writing, waive or relax any of the Overall Plan requirements listed above, which are not necessary to support a thorough review of the project.

D. Landscape Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). Landscape Plans filed in connection with the submission of a Development Plan shall: indicate compliance with the requirements of this PUD ordinance be drawn to scale of not more than 1"=100'; and, include the following items:

1. Names and addresses of owners, developers, plan preparers, plan preparation dates, graphic scale of drawings, and north arrow;
2. Address of the site;
3. Proposed name of the development;
4. Locations and dimensions of all existing and proposed structures, parking lots, driveways, roadways, rights-of-way, sidewalks, pedestrian pathways, bicycle pathways, ground signs, refuse disposal areas bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines, easements, freestanding structural features, landscape improvements, earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, courts, paved areas, buffer yards, primary and secondary green space areas, and green belt space;
5. Locations, quantities, sizes and names (botanical names and common names) – of planting materials;
6. Existing and proposed grading plans, indicating contours at not more than two-foot intervals;
7. Locations of barriers to be placed at or beyond the driplines of trees to be preserved and types of materials to be used for barriers;
8. Planting and installation details as necessary to ensure conformance with required standards;

9. Details indicating specific grading measures or protective devices to be utilized where trees are to be preserved in areas of cut and fill;
10. Tables clearly displaying relevant statistical information, including numbers of existing trees, numbers of trees to be preserved, etc.;
11. Overlay sheets at the same scale as landscape plans that display locations, sizes, and common names of individual trees that measure eight (8) inches or more in caliper, areas of dense trees or shrubs, and other natural areas which are to be preserved or removed; and,
12. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
13. Director, in its sole discretion, may, in writing, waive or relax any of the Landscape Plan requirements listed above, which are not necessary to support a thorough review of the project.

E. Building Elevations. Building Elevations filed in connection with the submission of a Development Plan shall be drawn to scale and shall include the following items:

1. Address of the site;
2. Proposed name of the development;
3. Graphic scale;
4. Elevations for each facade of the building;
5. Specification or sample of the type and color of building materials to be used for all wall, window, roof and other architectural features;
6. A separate true color rendering of the proposed building, including any proposed wall sign;*
7. Placement, size, color and illumination details for any proposed wall sign;*
8. Details of any exterior architectural lighting proposed on or around the building;
9. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
10. Director, in its sole discretion, may, in writing, waive or relax any of the Building Elevation requirements listed above, which are not necessary to support a thorough review of the project.

* Items **not** required for an individual single family dwelling or accessory residential structure on an individual lot in a Residential District.

F. Lighting Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). Lighting Plans filed in connection with the submission of a Development Plan shall: indicate compliance with the requirements of this PUD ordinance, be drawn to scale of not more than 1"=100', and, include the following items:

1. North arrow;
2. Graphic scale;
3. Address of the site;
4. Proposed name of the development;
5. Boundary lines of the site including all dimensions of the site;
6. Location and dimensions of all existing structures, parking areas and walkways;
7. Type and location of all exterior of lighting fixtures, including, wattage and type of light;
8. Intensity of lighting at base of light structure and at the lot line measured in foot candles;
9. If architectural building lighting is proposed, indicate the location, type and intensity of lighting on each building façade. (If architectural building lighting is proposed, the photometric plan required in item h. above, shall include the architectural building lighting in the measurement of overall light intensity at the lot line.);
10. Timing of lighting and method of control of lighting; and,
11. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
12. Director, in its sole discretion, may, in writing, waive or relax any of the Lighting Plan requirements listed above, which are not necessary to support a thorough review of the project.

G. Site Access and Site Circulation Plan (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). A Site Access and Site Circulation Plan shall be required all development, except individual single family homes. The Site Access and Site Circulation Plan shall be drawn to scale of not more than 1"=100' and shall include the following items:

1. North arrow;
2. Graphic scale;
3. Address of site;
4. Proposed name of the development;
5. Area map insert showing the general location of the site referenced to major streets,

section lines and Alternate Transportation System;

6. Names, centerlines and right-of-way widths of all streets, alleys and easements;
7. Location and name of all existing and proposed public or private streets, access easements and rights-of-way within two-hundred (200) feet of the site;
8. Location of any proposed or existing driveway onto a street or alley and its width at the lot line;
9. Depictions of all travel lanes, turning movements, vehicle storage areas and tapers, including dimensions, at all driveways;
10. All improvements to the street system on-site and off site;
11. Centerline measurements between all existing and proposed driveways within two-hundred (200) feet of the site;
12. Measurement of curb radius and/or taper;
13. Location and dimensions of primary vehicular ways in and around the proposed development;
14. Location of any proposed or existing sidewalk or pathway;
15. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or Director.
16. The Site Access and Site Circulation Plan requirements listed above may be incorporated into the required Site Plan.
17. Director, in its sole discretion, may, in writing, waive or relax any of the Site Access and Site Circulation Plan requirements listed above, which are not necessary to support a thorough review of the project.

H. Traffic Impact Study (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). A Traffic Impact Study shall be required when a proposed development will meet or exceed the warrants of the INDOT Traffic Impact Study Guidelines (i.e.,(i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction). A registered professional engineer shall prepare the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to

commencement, an applicant shall meet with the Staff of the Community Development Department to determine an appropriate scope for the Traffic Impact Study.

I. Statement of Development Build-Out (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). Petitioner shall indicate, either on the submitted site plan, overall plan or in writing, a statement of: (i) the order of development of the major infrastructure elements of the project; (ii) project phase boundaries, if any; (iii) the order and content of each phase; and, (iv) an estimate the time frame for build-out of the project.

J. Green Space Provisions (Not required for individual single family dwellings or accessory residential structure on an individual lot in a Residential District). Petitioner shall indicate, either on the submitted landscape plan or in writing, along with any necessary explanatory materials or graphics, a statement of the nature and extent of all existing and proposed green space on the real estate.

Section XIII.9. Transitional Rules. Any application for Development Plan or Improvement Location Permit which has been filed with the Community Development Department of Westfield – Washington Township and which application is full and complete under the provisions of the Zoning Ordinance prior to the effective date of this Aurora PUD Ordinance shall continue to be processed to completion pursuant to the terms and conditions of the Zoning Ordinance in effect at the time of making such application.

In the case of a Development Plan subject to these Transitional Rules, substantial completion shall occur within two (2) years of the date of approval by the Plan Commission. The Director may, for good cause shown, grant a one-time extension of up to one (1) year in duration to obtain substantial completion. If substantial completion has not occurred within two (2) years of the date of approval, or by the end of the one (1) year extension period if granted by the Director, the developer shall present a Special Request before the Plan Commission for an extension of time in which to achieve substantial completion. If an extension of time is either: not requested; or, denied by either the Director or the Plan Commission, the prior Development Plan approval shall be deemed null and void and any further development of the site shall require the approval of a new Development Plan in compliance with the terms and provisions of the Zoning Ordinance in effect at the time of filing of the new Development Plan.

Substantial completion shall mean, by way of example, the completion of infrastructure or structural improvements which are essential to: (i) the safe and efficient development of eighty (80) percent or more of the lots in a subdivision; or, (ii) the safe habitability, use or function of a structure.

ARTICLE XIV

COMMERCE PARKE
PERMITTED USES

Commercial Businesses

(No single occupancy may exceed 65,000 gross square feet).

- Advertising and Business Signs, Fabrication
- Antiques
- Art School
- Artisan School
- Assembly Halls
- Auction Rooms
- Auditoriums
- Auto Parts Sales
- Auto Rental
- Auto Repair Garages
- Auto Rustproofing
- Auto Sales, New or Used, Service and Repair
- Auto Storage
- Bakeries
- Banks and Savings & Loan Assn.
- Barber and Beauty Schools
- Barber and Beauty Shops
- Bicycle Sales, Rental & Service
- Billiard Parlor
- Blueprinting, Photocopying Job Printing
- Book Stores
- Bowling Alley
- Business and Clerical Schools
- Camera Stores
- Car Wash (Indoor)

- Caskets and Casket Supplies (Mortuary)
- Cemetery Monument Sales
- Cemetery Monuments & Tombstones Manufacture (Including Engraving)
- Charitable Donation Pick-Up Station
- Charitable Institutions
- China and Glassware Shops
- Christmas Tree Sales
- Churches
- Civic Centers
- Civic Clubs
- Coin Shops
- Commercial Parking Lots and Structures, Public
- Commissary, Food Catering Serv.
- Concrete Contractors - Heavy Commercial
- Consumer Service Offices
- Crating and Packaging Service
- Credit Union Offices
- Custard Stands
- Dancing Schools
- Day Care Centers
- Delicatessen
- Dentists
- Department Stores
- Discount Stores
- Distributors
- Drive-In Food and Beverage
- Drug Stores
- Dry Cleaning & Laundry Pickup
- Educational Institutions Public and Private
- Electrical Contractors, Heavy Commercial
- Electrical Supply Store
- Embalming School

- Employment Agencies
- Exhibition Halls
- Exterminators
- Fabric Shops
- Farm Implement Sales & Service
- Feed Stores
- Financial Institutions
- Fire Stations
- Floor Coverings
- Florists
- Fraternities, Lodges
- Frozen Food Stores & Lockers
- Fruit Stands, Permanent
- Furniture Stores
- Furrier Shops
- Galleries
- Garden and Lawn Materials and Supply Stores
- General Business and Professional Offices
- General Construction Company
- Gift Shops
- Glass Fabrication & Installation
- Government Offices-Universities
- Greenhouses, Retail
- Grocery Stores
- Hardware Stores
- Health, Fitness, and Exercise Center
- Hobby Shops
- Home Remodeling Company
- Home Remodeling Supplies and Materials
- Hospitals (Minor), Medical and Dental Offices, Clinics and Labs
- Hospitals, Major
- Industrial Laundry and Dry Cleaning Plants

- Insurance Companies
- Interior Decorating
- Jewelry Stores
- Language Schools
- Laundromats and Self-Service Dry Cleaning
- Lawyers
- Libraries
- Liquor Stores
- Loan Offices
- Locksmith Shops
- Luggage Stores
- Mail Order Store
- Major Appliance Store
- Manufacturer Representatives Offices
- Millinery
- Miniature Golf, Archery, Driving Range, Trampoline Centers
- Mobile Home Sales
- Model Display Homes & Garages
- Mortuaries or Funeral Homes
- Motels & Hotels
- Motorcycle Sales, Service, Repair and Outdoor Display
- Municipal or Government buildings
- Museums
- Music Schools
- Music, Records, Instruments
- Newspaper Distribution Station
- Newspaper Publishing
- Nursery - Plants, Retail
- Offices
- Office /Warehouse buildings
- Optometrists
- Paint and Wallpaper Stores

- Painting and Decorating Contractors-Heavy Commercial
- Parks and playgrounds, non-commercial
- Pet Grooming
- Pet Obedience Schools
- Pet Shops
- Philanthropic Institutions
- Photography School
- Photography Studio
- Photography Supplies
- Physicians
- Picture Framing
- Plumbing Contractors - Heavy Commercial
- Plumbing Showrooms and Shop
- Police Stations
- Post Offices
- Printing and Photocopying, Small Jobs
- Private Clubs, Lodges
- Professional & Technical Schools
- Radio and TV Service
- Real Estate Offices
- Restaurants and Cafeterias
- Restaurants With Live Entertainment
- Retail shops and services
- Roller & Ice Skating Rinks
- Roofing Contractors - Heavy Commercial
- Sanitariums
- Schools and Kindergartens (public or private)
- Self-Service Car Wash
- Semi-Automatic Car Wash
- Septic System Contractors
- Sewing Machine Sales & Service
- Sheet Metal Contractors - Heavy Commercial

- Shoe Repair
- Shoe Stores
- Sporting Goods
- Stationery Stores
- Storage and Transfer (Household Goods)
- Storm Doors, Windows, Awnings, Siding Contractors - Manufacture
- Taxidermist
- Taylor or Seamstress
- Tennis & Swim Clubs
- Tennis Facilities
- Testing Laboratories
- Theaters - Indoor
- Tire and Auto Service Center
- Tire Recapping
- Tobacco Shops
- Tool and Light Equipment Rental
- Toy Stores
- Travel Bureaus
- Truck Cleaning, Service, Rental and Repair
- Trucking Companies
- Typewriter Sales, Rental and Service
- Upholsters
- Utilities - Not Regulated by Indiana Utility Regulatory Commission
- Utilities-Regulated by Indiana Utility Regulatory Commission
- Veterinarians - Small Animals, No Outdoor Runs
- Warehouses - Inside Storage
- Wholesalers - Inside Storage
- Wireless Communication Service Facilities (including Cell Towers)

Industrial Businesses

- Assembly of finished goods
- Assembly Operations of Pre- Manufactured Parts, Components
- Assembly, Repair & Manufacture of Light Component Parts
- Bottling of Alcoholic and Non-Alcoholic Beverages
- Coffee Roasting
- Data Processing
- Distribution facilities
- Engineering and Research Labs
- Industrial Schools & Training Facilities
- Laboratories
- Leather Products Manufacturing From Finished Leather
- Machine, Welding, Tool and Die Shops
- Mfg., light
- Mfg. & Assembly of Communication Equipment
- Mfg. & Assembly of Major Household Appliances
- Mfg. & Assembly of Marine Equipment
- Mfg. & Assembly of Office Equipment
- Mfg. of Cabinets
- Mfg. of Cans and Containers
- Mfg. of Cloth Products from Finished Cloth
- Mfg. of Furniture
- Mfg. of Glass & Glass Products
- Mfg. of Jewelry, without Retail
- Mfg. of Musical Instruments
- Mfg. of Non-Alcoholic Beverages
- Mfg. of Office Machinery
- Mfg. of Optical Goods
- Mfg..of Paper Boxes and Paper Products From Finished Paper
- Mfg. of Portable Household Appliances, Electric Hand Tools, etc.
- Mfg. of Recording Instruments, Phonograph Records, etc.

- Mfg. Tools, Implements, Machinery
- Mattress Mfg. & Upholstering
- Milk Processing, Bottling & Mfg. of Milk Products
- Newspaper printing and job printing
- Packaging of finished goods
- Pharmaceutical, Medicine, & Cosmetic Mfg.
- Secondary Food Processing and Packaging & (Initially Processed off the Premises)
- Stamping & Fabricating Metal Shops
- Supply yard
- Warehousing and storage
- Wholesale trade

ARTICLE XV

THE SHOPPES
PERMITTED USES

- Antiques
- Art School
- Artisan School
- Assembly Halls (5,000 square feet, maximum)
- Bakeries
- Banks and Savings & Loan Assn.
- Barber and Beauty Shops
- Bicycle Sales, Rental & Service
- Book Stores
- Camera Stores
- Charitable Donation Pick-Up Station
- China and Glassware Shops
- Christmas Tree Sales
- Churches
- Civic Centers
- Civic Clubs
- Coin Shops
- Consumer Service Offices
- Convents, Monasteries, Theological Schools, Rectories, Parishes
- Credit Union Offices
- Custard Stands
- Dancing Schools
- Day Care Centers
- Delicatessen
- Dentists
- Department Stores - Under 10,000 Sq. Ft.
- Drug Stores
- Dry Cleaning & Laundry Pickup

- Educational Institutions Public and Private
- Employment Agencies
- Exhibition Halls
- Fabric Shops
- Fire Stations
- Floor Coverings
- Florists
- Fraternities, Lodges
- Fruit Stands, Permanent
- Fruit Stands, Temporary
- Furniture Stores
- Furrier Shops
- Galleries
- Garden and Lawn Materials and Supply Stores
- Gift Shops
- Government Offices-Universities
- Grocery Stores
- Hardware Stores
- Health, Fitness, and Exercise Center
- Hobby Shops
- Home Remodeling Company
- Hospitals (Minor), Medical and Dental Offices, Clinics and Labs
- Insurance Companies
- Interior Decorating
- Jewelry Stores
- Language Schools
- Lawyers
- Libraries
- Liquor Stores
- Loan Offices
- Locksmith Shops
- Luggage Stores

- Mail Order Store
- Mfg. of Jewelry, with Retail
- Millinery
- Museums
- Music Schools
- Music, Records, Instruments
- Nursery - Plants, Retail
- Offices
- Optometrists
- Paint and Wallpaper Stores
- Pet Grooming
- Pet Shops
- Philanthropic Institutions
- Photography School
- Photography Studio
- Photography Supplies
- Physicians
- Picture Framing
- Police Stations
- Post Offices
- Printing and Photocopying, Small Jobs
- Private Clubs, Lodges
- Radio and TV Service
- Real Estate Offices
- Restaurants and Cafeterias
- Retail shops and services
- Schools and Kindergartens
- Semi-Automatic Car Wash
- Sewing Machine Sales & Service
- Shoe Repair
- Shoe Stores
- Sporting Goods

- Stationery Stores
- Taylor or Seamstress
- Tobacco Shops
- Toy Stores
- Travel Bureaus
- Typewriter Sales, Rental and Service
- Upholsters
- Utilities - Not Regulated by Indiana Utility Regulatory Commission
- Utilities-Regulated by Indiana Utility Regulatory Commission
- Veterinarians - Small Animals, No Outdoor Runs
- Wearing Apparel & Accessory Shops
- Wireless Communication Service Facilities (including Cell Towers)

ARTICLE XVI

OFF-STREET LOADING AND PARKING

A. Loading Berths - Off-street loading berths shall be subject to the requirements as set out by the Director in accordance with the following guidelines. Exceptions can be granted by the Director upon presentation of justification for a lesser number of loading berths. Additional berths may also be required to serve the needs of the proposed business or industry.

1. Business and Professional Offices, Medical Facilities, Schools, Hotels, Clubs and Similar Businesses - One loading berth for each 100,000 square feet of space or additional fraction thereof.

2. Industrial Manufacturing and Warehousing - One loading berth for each 40,000 square feet or additional fraction thereof.

3. Other Local and General Business - One loading berth for businesses with 5,000 square feet to 10,000 square feet. Two loading berths for businesses with 10,001 square feet to 25,000 square feet - Over 25,000 square feet, one additional berth for each 25,000 square feet or fraction thereof

B. Off-street Parking - In connection with any building or structure which is to be erected or substantially altered, and which requires off-street parking spaces, there shall be provided such off-street parking space in accordance with regulations set forth hereinafter:

1. Use - Except as may otherwise be provided for the parking of trucks or for special uses, required accessory off-street parking facilities required as accessory to uses listed herein, shall be solely for the parking of passenger vehicles or patrons, occupants or employees.

2. Location - Parking spaces shall be located on the same lot as the use served except parking facilities located on land other than the lot on which the building or use served is located, must be within 300 feet walking distance from the main entrance to the use served.

3. Computation - When determination of the number of off-street parking spaces required by this section results in a requirement of fractional space, any fraction of one-half or less may be disregarded; while a fraction in excess of one-half shall be counted as one

parking space.

4. Collective Provisions for Non-Residential Uses - Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements of each such use, and if all regulations governing the location of accessory parking spaces in relation to the use served are observed. But no parking space, or portion thereof, shall serve as the required space for more than one use unless otherwise authorized.

5. Size - A required off-street parking space shall be at least 10 feet in width and at least 20 feet in length, exclusive of access drives, aisles, ramps, columns, and office or work area. Such space shall have vertical clearance of at least seven feet. Parallel parking shall require 24 feet in length.

6. Access - Each required off-street parking space shall open directly upon an aisle or a driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.

Angle of Parking Space	Aisle Width
45 degree angle	14 Feet
60 degree angle	18 Feet
90 degree angle	24 Feet

All off-street parking facilities shall be provided with appropriate means or vehicular access to a street in a manner which will least interfere with traffic movements.

7. In Yards - Off-street parking spaces may be located in front yards and side yards adjoining a street, except that in the local business and general business districts parking in front yards shall be subject to the following provisions:

   a. The parking area must be blacktop or poured concrete
   b. Cement or hard rubber wheel stops must be provided
   c. All maintenance and snow removal must be done by the owner
   d. Parking places must be accessed by ramps and not over curbing
   e. The owner is to be responsible for any replacement of blacktop or poured concrete to said parking area necessitated by the Town's repair of underground facilities

8. Surfacing - All open off-street parking areas shall be improved with a compacted gravel or stone base, or equal, not less than four inches thick, and surfaced with all-weather, dustless material in accordance with specifications established by the Town Council.

9. Lighting - A system of flood lights shall be installed to provide an adequate standard of illumination over the entire parking lot of planned business developments during business hours and minimum security illumination during non-business hours. All flood lights shall be shielded so that minimum glare will extend to the adjacent property and shall meet requirements of Article XIX.

10. Required Spaces for The Shoppes District - Off-street parking spaces accessory to designated uses shall be provided as follows:

    a. Retail: Minimum of one space for every 300 gross square feet and a maximum of one space for every 250 square feet.

    b. Office: Minimum of one space for every 225 net usable square footage, maximum of one space for every 200 square feet.

    c. Restaurant: Minimum of one space for every three seats plus one for each employee on largest shift

    d. The Director may reduce the amount of required parking spaces if (s)he determines that the otherwise applicable requirement would result in unnecessary or unneeded parking spaces.

11. Required Spaces for all other Districts- Off-street parking spaces accessory to designated uses shall be provided as follows:

    a. Residential Dwellings - Two parking spaces for each dwelling unit.

    b. Motels –

        i. One parking space for each room

ii. One parking space for each two employees on day shift

c. Churches - One parking space for each three seats

d. Theaters - One parking space for each five seats

e. Medical and Dental Clinics - Three parking spaces for each examining or treatment room, plus one parking space for each doctor and employee in the building

f. Drive-in Restaurants - One parking space for each two seats in service area plus one parking space for each employee on primary shift

g. Establishments handling the sale and consumption of food and refreshment on the premises - One parking space for each three seats of serving area plus one parking space for each employee on primary shift

h. Banks, Savings and Loans, and Financial Institutions - One parking space per each 300 square feet of floor space

i. Business and Professional Offices or Public Administration Buildings - One parking space per each 200 square feet of assignable office area.

j. Service Stations - One parking space for each employee, plus two for each service stall

k. Manufacturing, fabricating and processing plants not engaged in retail trade - One parking space for each two employees, as related to the working period when the largest number of employees are employed on the premises

l. Parking space requirements for other uses will be determined by the Director based upon data supplied by the applicant in response to traffic and parking data requested to be furnished with the application for an improvement location permit.

ARTICLE XVII

LANDSCAPING STANDARDS

Section XVII.1 General Landscaping Provisions

A. Purpose and Intent - This article establishes regulations for the preservation of natural features and minimum standards for the provision, installation, and maintenance of landscape materials. The regulations specified herein are intended to promote the health, attractiveness, and safety of the community; foster aesthetically pleasing and environmentally sensitive development that protects and preserves the appearance and character of the community; and encourages the preservation of natural areas such as mature tree stands and stream corridors.

This article establishes standards to manage and control drainage and erosion; to increase the compatibility of development with the natural environment and adjacent developments; to encourage connectivity through the use of a pedestrian network; and to maintain and increase the value of land by requiring landscaping to be incorporated into developments.

The standards set forth herein promote important physical and psychological benefits through the use of landscaping to reduce noise and lighting; promote innovative and cost conscious approaches to the design, installation, and maintenance of landscaping; and establish procedures and standards for the administration and enforcement of this article.

B. Applicability

1. This article shall apply to all zoning districts and all public, private, and institutional developments, except those approved prior to the enactment of this article and those that have fulfilled filing requirements at the time of the enactment of this Article.
2. This article shall apply to nonresidential uses, residential subdivisions, or other residential developments that require site development plan approval or a special exception.
3. This article shall not apply to previously-authorized building permits, a previously-approved site development plans, or previously-approved subdivision plats.
4. This article shall not apply to detached single-family residences not located within

subdivisions.

C. Content of Landscape Plan - Landscaping plans shall comply with the following standards:

1. Landscape plans shall be submitted for all required green belt buffer areas, buffer yards, conservation easements, landscape easements, and areas owned in common within proposed developments. It is recommended that landscape plans be prepared by licensed landscape architects, nurserymen, or other professionals experienced in landscape design, installation, and maintenance. A narrative describing ownership, use, and maintenance responsibilities of these areas should be specified in the submittal.

2. Landscape plans shall show the entire project drawn to scale on standard sized sheets (minimum 24" x 36") and shall contain the following information:

   a. Names and addresses of owners, developers, plan preparers, plan preparation dates, scale of drawings, and north arrows;

   b. Locations and dimensions of all existing and proposed structures, parking lots, driveways, roadways, rights-of-way, sidewalks, pedestrian pathways, bicycle pathways, ground signs, refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines, easements, freestanding structural features, landscape improvements, earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, courts, paved areas, buffer yards, primary and secondary green space areas, and green belt space;

   c. Locations, quantities, sizes, and names (botanical names and common names) – of planting materials;

   d. Existing and proposed grading plans, indicating contours at not more than two-foot intervals;

   e. Locations of barriers to be placed at or beyond drip lines of trees to be preserved and types of materials to be used for barriers;

f. Planting and installation details as necessary to ensure conformance with required standards;

g. Details indicating specific grading measures or protective devices to be utilized where trees are to be preserved in areas of cut and fill; and

h. Tables clearly displaying relevant statistical information, including numbers of existing trees and numbers of trees preserved, for example.

i. Standard size sheets at the same scale as landscape plans that display locations, sizes, and common names of existing individual trees that measure twelve (12) inches or more in caliper, areas of dense trees or shrubs, and other natural areas.

D. Modifications - When a change in use occurs, or when modifications that require a building permit are made to existing structures, landscaping shall be required to be installed in a manner that is comparable in nature and extent to the impact of the proposed change or modification.

Section XVII.2 Preservation and Replacement of Trees

A. Developers shall take reasonable measures to design and locate proposed structures in a manner that minimizes the destruction of significant tree specimens.

B. Prior to site development plan approval or the issuance of a building permit, developers shall inventory all trees which possess a caliper measure of at least twelve (12) inches. Tree inventories shall depict locations, sizes, and common names of existing trees and individual shrubs; areas containing dense trees or shrubs; and other natural site features. Existing trees that are to be preserved shall be credited toward required landscaping requirements based on the sizes of such preserved trees.

C. The following considerations shall be made in regard to tree preservation efforts:

1. The practicability of arranging site plan components around existing features. - Plans for groups of structures should be designed so as to preserve areas of high tree concentrations, desirable individual tree specimens, and desirable stands of trees and shrubs;

2. The condition of vegetation with respect to continued vitality;
3. The possibility of preserving vegetation through pruning rather than removal.
4. The desirability of a particular tree or species by reason of its appearance; historic or ecological significance; botanical characteristics; and the function the vegetation would fulfill as a site plan component;
5. The practical and economic possibility of designing the location and grades of proposed structures and paving to preserve existing vegetation; and
6. The potential for interference with utility services along the use of roads and walkways.

D. Tree preservation plans shall be submitted with site plans that detail locations, sizes, and common names of preserved trees; individual shrubs; areas of dense tree or shrub concentrations, and other natural features which are to be preserved or removed. No disturbance shall be permitted in the critical root zones of preserved trees. Disturbances include trenching, backfilling, driving or parking equipment, and dumping trash, oil, paint, or other materials detrimental to plant health.

E. Should any tree designated for preservation die within five (5) years of project completion, the owner shall replace such tree with a tree (or trees) of equal tree preservation value within 180 days (see following paragraph for value calculation).

F. Incentives to Preserve Trees – Existing trees that are preserved shall contribute to required on-site landscaping, based proportionally on their caliper measure. Certain "cull" species and deformed trees may not be permitted to be credited. Preserved trees under eight (8) inches in caliper shall be credited at the rate of one (1) times the caliper measure of such trees. However, trees with a caliper of less than two (2) inches shall not qualify for credit. Preserved trees between eight (8) and sixteen (16) inches in caliper shall be credited at the rate of two (2) times the caliper measure of such trees. If preserved trees possess caliper measures of sixteen (16) inches or greater, credit shall be calculated at the rate of four (4) times the caliper measure of such trees. For example, a qualifying six (6) inch caliper preserved tree shall be credited as three (3) required two (2) inch caliper trees. A qualifying fourteen (14) inch caliper preserved tree shall be credited as twenty-eight (28) required two (2) inch caliper trees. And, a qualifying eighteen (18) inch caliper preserved tree shall be

credited as seventy-two (72) required two (2) inch caliper trees.

G. Barriers shall be used to protect trees during site development. Barriers shall be specified on landscape plans and shall be placed at or beyond the drip lines of trees to be preserved. Such barriers shall remain in place during site construction. No vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits shall be permitted within such barriers. No notices or other objects shall be nailed or stapled to preserved trees.

H. Grading measures or protective devices, such as tree wells, tree walls, or specialized fill and pavement designs, shall be installed when necessary to preserve identified tree specimens.

Section XVII.3 Selection, Installation, and Maintenance of Plant Materials

A. Selection

1. Shade Trees - Shade trees shall be a minimum of eight (8) feet in height and have a caliper measure of at least two (2) inches, measured twelve (12) inches above finished grade. Shade trees shall be of a variety that will attain an average mature spread greater than twenty (20) feet.
2. Evergreen Trees - Evergreen trees shall be a minimum height of six (6) feet.
3. Ornamental Trees - Ornamental trees shall have a minimum trunk size of two (2) inches in caliper, measured six (6) inches above finished grade.
4. Shrubs – Shrubs shall possess a minimum height of eighteen (18) inches at the time of planting.
5. Substitutions – If plant substitutions become necessary due to seasonal planting problems or a lack of plant availability, revisions to planting plans shall be permitted based on the substitution list below. For on-site requirements only, substitutions may be made for up to one-half (50%) of required plants. If plant substitutions do not fulfill the following criteria, changes to previously-approved plans shall be resubmitted and reviewed for new approval.
   a. 1 shade tree = 2 ornamental trees = 2 evergreen trees
   b. 1 ornamental tree = 1 evergreen tree

B. Installation

1. Landscaping materials shall be installed in accordance with planting procedures established by the American Association of Nurseryman.

2. Required landscaping of development projects shall be completed prior to the issuance of Certificates of Occupancy for non-residential and multi-family projects, and prior to the issuance of building permits for more than fifty percent (50%) of the lots within each section of residential subdivisions. Landscaping installation may be delayed up to 120 days due to the following:

   a. Periods of adverse weather, or

   b. Conflicts between construction scheduling and proper planting conditions.

C. Maintenance

1. All newly planted vegetative material shall meet minimum American Standard for Nursery Stock Standards.

2. Landscaping shall be maintained in healthy growing condition. This includes:

   a. Regular irrigation, weeding, fertilizing, pruning, mowing, and other maintenance of outside plant materials on the property;

   b. Mature trees shall not be topped. They shall be pruned according to procedures established in the National Arborist Association Standards, published by the National Arborist Association;

   c. Treating plant materials that exhibit evidence of insect pest or disease damage;

   d. Replacement of dead or dying plant materials with specimens in good, healthy, growing condition. Replacement shall be completed using the same plant materials approved on landscape plans.

   e. Replenishing natural landscape materials such as rock, stone, bark chips and shavings that no longer cover the area in which they were originally deposited.

   f. Repairing, replacing, or maintaining structural landscaping features including, but not limited to fountains, reflecting pools, outdoor art work, screening walls, retaining walls, fences, benches or other street furniture elements, as necessary to maintain these items in good condition.

   g. Any other action necessary to maintain landscaping installed in accordance with an

approved landscape plan.

3. Plantings and landscaping features required by this article shall be subject to inspection to verify continued compliance with this article.

Section XVII.4 General Landscape Design Standards

A. Consultation - A landscape architect, nurseryman, or other professional experienced in the installation and care of plant materials shall be consulted to ensure that proposed plants are appropriate and will survive.

B. Scale and Nature of Landscaping - The scale and nature of landscaping materials shall be appropriate to the size of proposed structures. Large-scale buildings should be complemented by large-scale plants. Form, texture, color, pattern of growth, and adaptability to local conditions shall be considered when selecting plant materials.

C. Clearance - Trees shall be planted so that when they reach maturity, there will be a minimum of ten (10) feet of clearance between tree trunks and structures, building overhangs, walls, fences, and other trees.

D. Materials - Grass and other vegetative ground cover shall be used in all green space areas, including parking lot islands, except for decorative mulch planting beds containing trees and/or shrubs; and inert stabilization in areas subject to severe runoff or erosion.

E. Lines of Sight – Plantings in landscaped areas shall not obstruct sight lines as per WC 16.04.230 2.v of the Zoning Ordinance.

F. Energy Conservation - Plantings shall be arranged to promote energy conservation wherever practical. This includes using deciduous trees on the south and west sides of buildings to provide shade from summer sun and planting evergreens on the north of buildings to insulate against winter winds.

G. Noise Reduction - Properties adjacent to highly trafficked roads or businesses shall arrange landscaping to reduce the intensity of noise by reflecting, deflecting, or absorbing sound. Some techniques to accomplish this include using earth berms, walls, fences, or plantings to provide physical separation and to absorb noise. When a berm is used to form a visual screen in lieu of or in conjunction with a hedge or wall, it shall not exceed a slope of thirty (30) degrees and shall be completely covered with shrubs, grass, or other living ground cover.

H. Landscape plans shall clearly identify areas where stone or other inert materials are to be used as ground cover. Areas not so designated shall be required to have grass or other vegetative ground cover.

I. Heating and Cooling Facilities - Ground-mounted heating and cooling units for nonresidential or multi-family structures shall be completely screened.

J. Softening of Walls and Fences - Plant materials other than ground cover shall be placed intermittently (approximately every 40 feet) against long expanses (over 80 feet) of building walls, fences, and other barriers to create a softening effect. However, ground cover plants may supplement the plant materials required by this paragraph.

K. Detention/Retention Basins and Ponds - Detention/retention basins and ponds shall be landscaped in a manner that replicates the natural form of ponds. Such landscaping shall include shade trees, ornamental trees, evergreens, shrubbery, hedges, and/or other plant materials.

Section XVII.5 Buffer Yard Requirements

A. Plantings in buffer yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plants used for screening must reach a minimum height of forty-eight (48) inches within three years of installation, and be at least eighteen (18) inches tall when planted. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.

B. A twenty foot (20') buffer yard shall be required around the perimeter of each District except as follows:

1. No buffer yards shall be required:
   a. internal to the Aurora PUD, except as provided in Subsections B(6) and B(8) below;
   b. adjacent to proposed greenways and park areas; and
   c. within easements prohibiting landscaping.

2. A fifty foot (50') buffer yard shall be required along the existing home sites on Grassy Branch Road (as shown on the Buffer Exhibit, Exhibit F). The buffer yard shall be improved as follows:

a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard (except the northern section of the buffer yard, where the existing tree-line shall be maintained and no additional plantings shall be required – as shown on the Buffer Exhibit, Exhibit F). The mound shall be designed in order to protect the root system and drip lines of existing trees on adjacent properties.

b. The buffer yard shall be landscaped per this Aurora PUD

3. Except as provided in Subsection B (1)(a) above, a forty foot (40') buffer yard shall be required along Grassy Branch Road, State Highway 38, 203rd Street and U.S. 31.

4. A fifty foot (50') buffer yard shall be required along the existing homestead parcel of the Heitman property (as shown on the Buffer Exhibit, Exhibit F). A thirty foot (30') buffer yard shall be required along the eastern and western borders of the driveway parcel of the Heitman property (as shown on the Buffer Exhibit, Exhibit F). The buffer yards shall be improved as follows:

   a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard.

   b. The buffer yard shall be landscaped per this Aurora PUD

5. A thirty foot (30') buffer yard shall be required along the western border of the Ranek property, and shall run from the northern border of the Ranek property to the realigned 202nd/203rd Street (as shown on the Buffer Exhibit, Exhibit F).

   a. The existing tree line shall remain.

6. A thirty foot (30') buffer yard shall be required between the Commerce Park and Sunrise Park, on the north side of 203rd Street (as shown on the Buffer Exhibit (part of the Ranek Buffer), Exhibit F). If parking or vehicular access is provided in the southern portion of the park, such parking or access shall be located adjacent to this buffer yard. The buffer yard shall be improved as follows:

   a. At least one (1) eight foot (8') evergreen tree shall be planted every thirty linear feet (30').

7. <u>Buffer between The Shoppes and adjoining Residential District (to the west)</u> (as shown on the Buffer Exhibit, Exhibit F)

a. A thirty foot (30') buffer yard shall be required and shall be improved as follows:

b. The buffer yard shall have a six foot (6') shadow box fence

c. The buffer yard shall be landscaped per this Aurora PUD.

8. Buffer along the southern and eastern borders of the Commerce Parke (as shown on the Buffer Exhibit, Exhibit F)

   a. A forty foot (40') buffer yard shall be required and shall be improved as follows:

   b. The buffer yard shall have an six foot (6') mound.

   c. At least one (1) eight foot (8') evergreen tree shall be planted every thirty linear feet (30').

   d. Evergreen trees shall be planted on or near the top of the mound.

   e. Buffer yard planting requirements shall be included with the Development Plan Review of each parcel.

9. Buffer yards that are not additionally road frontage shall be landscaped per this Aurora PUD Subsection C, below, with the exception of areas encompassed by easements prohibiting landscaping, where no landscaping shall be required. Buffer yards that are additionally road frontage shall be landscaped per this Aurora PUD's Road Frontage landscaping requirements.

C. Within buffer yards at least one (1) evergreen tree per thirty (30) linear feet and five (5) evergreen shrubs per thirty (30) linear feet shall be planted, unless otherwise specified in this Aurora PUD. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses. In order to create a more effective buffer, the Plan Commission may approve evergreen trees to be substituted in lieu of evergreen shrubbery on a 1:3 basis (tree: shrub). Up to 60% of shrubbery may be substituted for trees. (Staff note: Additional trees may be substituted to lessen required shrubbery planting, but additional shrubbery may not be substituted to reduce required tree plantings).

D. If woodlands are located within buffer yards, preserved trees may be substituted for required plants in buffer yards (see Section XVII.3, Selection, Installation, and Maintenance of Plant Materials for substitution guidelines).

E. In residential districts, plantings required to be placed in buffer yards shall be credited toward total on-site landscaping requirements set forth in Table XVII.10.1 and XVII.11.1..

F. In non-residential districts, trees required to be planted in buffer yards shall be credited toward total on-site landscaping requirements set forth in Tables XVII.8.1 and XVII.9.1.

G. Buffer yards shall not be required between uses within planned developments or within subdivisions.

Section XVII.6 Open Space Requirements

Approximately 25% of the gross area of the Residential Districts, shall be dedicated Open Space and shall be located generally in the areas as denoted on the Concept Plan, which shall supersede the Green Belt Space, Secondary Green Space, and all other Open Space requirements set forth in the Zoning Ordinance.

1. Any of the area of this Aurora PUD (except for required retention ponds) that is dedicated to a neighborhood association, the public, or whose ownership is transferred to a municipal entity for public use shall be factored into the total amount of Open Space.

Section XVII.7 Business Parke Landscaping Requirements

A. On-Site Standards

1. Yards, setback areas, and green space areas within developments shall be landscaped with live vegetation.

2. The minimum numbers of shade trees, evergreen trees, ornamental trees, and shrubs required to be planted are set forth in Table XVII7.1

Table XVII.7.1: Minimum On-Site Requirements

Land Use Type	Plant Materials		
	Shade Trees	Ornamental or Evergreen Trees	Shrubs
Institutional Uses	2 per acre	3 per acre	10 per acre

Business Uses	10 per acre	10 per acre	25 per acre
Industrial Uses	5 per acre	5 per acre	25 per acre

A proportional decrease in the required number of trees is allowed if larger caliper trees are planted. Trees with caliper measures of four (4) inches may replace two (2) required two (2) inch caliper trees.

3. Institutional uses include, without limitation, schools, churches and government offices.

4. For Institutional uses:
   a. Trees required to be planted in interior parking lot landscaping areas may be counted toward meeting on-site landscaping requirements as set forth in the table above.
   b. Identified acreage for constructed athletic fields and courts (including the adjacent perimeter for coaching and spectator viewing), and constructed playgrounds with equipment may be subtracted from the total acreage before computing on-site requirements.

5. Trees should be grouped together whenever possible to simulate natural tree stands, versus trees being planted in straight rows.

6. Required trees and plantings within non-residential land uses must be planted per each lot requirement.

7. Existing trees or woodlands that are preserved may be counted toward minimum on-site planting requirements.

B. Road Frontage Standards

1. In non-residential developments where property abuts any public right-of-way, at least one shade tree per forty linear feet (40') of road frontage shall be planted adjacent to road rights-of-way. Trees planted along road frontage in non-residential developments may be credited toward overall on-site landscaping requirements set forth in Table XVII.7.1

2. Shade trees required to be planted along road frontage shall be located outside drainage

and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

3. When evergreen and/or ornamental trees are preserved along road frontage and qualify for preservation credit, they may count 1:1 toward road frontage requirements.

C. Parking Area Standards – The following landscape requirements shall be applied to parking lots to screen parking areas from streets, to prevent the creation of large expanses of paving, and to provide shade to paved areas.

1. Parking Lot Landscaping

a. Area Required - A portion of vehicular use areas shall be maintained as landscaped area. The total amount of interior parking lot area that must be landscaped shall be based on the total number of proposed parking spaces. Such standards are set forth in Table XVII.7.2:

Table XVII.7.2 : Percentage of Parking Lot Landscaping

Number of Parking	Percentage of Vehicular Use Area to Be Landscaped
0 to 4	0 %
5 to 24	5 %
25 to 49	7.5 %
50 or more	10 %

b. Parking Lot Islands

i. Parking lot islands shall be dispersed throughout parking lots in a design and configuration that aesthetically corresponds to the size and shape of parking lots. Combining or placing parking lot islands together such that more than one tree may be planted in the island shall be considered when possible.

ii. Parking lot islands shall be constructed at least six (6) inches above the surface of parking lots; they shall be a minimum of one hundred twenty (120) square feet in area; and they shall be a minimum of seven (7) feet in width, measured from back of curb to back of curb.

iii. Interior landscaped areas shall be curbed in a manner that restricts vehicles from driving over landscaped areas.

iv. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.

v. Parking lot islands shall include at least one (1) tree and four (4) shrubs per parking lot island. One hundred (100) percent of every parking island shall be covered with permitted groundcover material to achieve complete coverage.

vi. No landscaping within parking lot islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting parking areas. Such landscaping shall be constructed in compliance with visibility standards set forth in WC 16.04.230 2.v of the Zoning Ordinance.

vii. Trees and shrubs required to be planted in parking lot landscape islands may be counted toward meeting total on-site landscaping requirements as set forth in Table XVII.7.1

2. Perimeter Parking Lot Landscaping

a. Application

i Perimeter landscaping is required for parking lots with ten (10) or more spaces where:

(a) the parking lot is located within a required yard; or

(b) the parking lot is located within twenty (20) feet of a lot line or right-of-way line.

ii Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped an aesthetically pleasing manner.

iii Trees and shrubs to be planted in perimeter parking lot landscape areas may be counted toward meeting total on-site landscaping requirements as set forth in Table XVII.7.1.

b. Requirements - Perimeter parking lot landscape areas shall include the following landscape improvements:

i There shall be one tree per thirty (30) linear feet of parking lot length. Trees

may be clustered.

ii There shall be one shrub per three (3) feet of parking lot length. Shrubs may be clustered.

iii Perimeter parking lot landscape areas not planted with trees or shrubs shall be covered with grass or other permitted groundcover or mulch.

Section XVII.8 Commerce Parke Landscaping Requirements

E. On-Site Standards

1. Yards, setback areas, and green space areas within developments shall be landscaped with live vegetation.

2. The minimum numbers of shade trees, evergreen trees, ornamental trees, and shrubs required to be planted are set forth in Table XVII8.1

Table XVII.8.1: Minimum On-Site Requirements

Land Use Type	Plant Materials		
	Shade Trees	Ornamental or Evergreen Trees	Shrubs
Institutional Uses	2 per acre	3 per acre	10 per acre
Business Uses	10 per acre	10 per acre	25 per acre
Industrial Uses	5 per acre	5 per acre	25 per acre

A proportional decrease in the required number of trees is allowed if larger caliper trees are planted. Trees with caliper measures of four (4) inches may replace two (2) required two (2) inch caliper trees.

3. Institutional uses include, without limitation, schools, churches and government offices.

4. For Institutional uses:

a. Trees required to be planted in interior parking lot landscaping areas may be counted toward meeting on-site landscaping requirements as set forth in the table above.

b. Identified acreage for constructed athletic fields and courts (including the adjacent perimeter for coaching and spectator viewing), and constructed playgrounds with equipment may be subtracted from the total acreage before computing on-site requirements.

5. Trees should be grouped together whenever possible to simulate natural tree stands, versus trees being planted in straight rows.

6. Required trees and plantings within non-residential land uses must be planted per each lot requirement.

7. Existing trees or woodlands that are preserved may be counted toward minimum on-site planting requirements.

F. Display Area Landscaping Standards – Where outside display areas are used and such display areas front on a public or private street, ornamental trees shall be planted at the rate of one (1) tree per thirty linear feet (30') of frontage of the display area along the road frontage which the display area faces.

G. Road Frontage Standards

1. In non-residential developments where property abuts any public right-of-way, at least one shade tree per forty linear feet (40') of road frontage shall be planted adjacent to road rights-of-way. Trees planted along road frontage in non-residential developments may be credited toward overall on-site landscaping requirements set forth in Table XVII.8.1

2. Shade trees required to be planted along road frontage shall be located outside drainage and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

3. When evergreen and/or ornamental trees are preserved along road frontage and qualify for preservation credit, they may count 1:1 toward road frontage requirements.

H. Parking Area Standards – The following landscape requirements shall be applied to parking lots to screen parking areas from streets, to prevent the creation of large expanses of paving, and to provide shade to paved areas.

1. Parking Lot Landscaping

a. Area Required - A portion of vehicular use areas shall be maintained as landscaped area. The total amount of interior parking lot area that must be landscaped shall be based on the total number of proposed parking spaces. Such standards are set forth in Table XVII.8.2:

Table XVII.8.2 : Percentage of Parking Lot Landscaping

Number of Parking	Percentage of Vehicular Use Area to Be Landscaped
0 to 4	0 %
5 to 24	5 %
25 to 49	7.5 %
50 or more	10 %

b. Parking Lot Islands

i. Parking lot islands shall be dispersed throughout parking lots in a design and configuration that aesthetically corresponds to the size and shape of parking lots. Combining or placing parking lot islands together such that more than one tree may be planted in the island shall be considered when possible.

ii. Parking lot islands shall be constructed at least six (6) inches above the surface of parking lots; they shall be a minimum of one hundred twenty (120) square feet in area; and they shall be a minimum of seven (7) feet in width, measured from back of curb to back of curb.

iii. Interior landscaped areas shall be curbed in a manner that restricts vehicles from driving over landscaped areas.

iv. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.

v. Parking lot islands shall include at least one (1) tree and four (4) shrubs per parking lot island. One hundred (100) percent of every parking island shall be covered with permitted groundcover material to achieve complete coverage.

vi. No landscaping within parking lot islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting parking areas. Such landscaping shall be constructed in compliance with visibility standards set forth in WC 16.04.230 2.v of the Zoning Ordinance.

vii. Trees and shrubs required to be planted in parking lot landscape islands may be counted toward meeting total on-site landscaping requirements as set forth in Table XVII.8.1

2. Perimeter Parking Lot Landscaping

a. Application

i Perimeter landscaping is required for parking lots with ten (10) or more spaces where:

(a) the parking lot is located within a required yard; or

(b) the parking lot is located within twenty (20) feet of a lot line or right-of-way line.

ii Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped an aesthetically pleasing manner.

iii Trees and shrubs to be planted in perimeter parking lot landscape areas may be counted toward meeting total on-site landscaping requirements as set forth in Table XVII.8.1.

b. Requirements - Perimeter parking lot landscape areas shall include the following landscape improvements:

i There shall be one tree per thirty (30) linear feet of parking lot length. Trees may be clustered.

ii There shall be one shrub per three (3) feet of parking lot length. Shrubs may be clustered.

iii Perimeter parking lot landscape areas not planted with trees or shrubs shall be covered with grass or other permitted groundcover or mulch.

Section XVII.9 The Shoppes Landscaping Requirements

A. On-Site Standards

1. Yards, setback areas, and green space areas within developments shall be landscaped with live vegetation.

2. The minimum numbers of shade trees, evergreen trees, ornamental trees, and shrubs required to be planted are set forth in Table XVII.9.1

Table XVII.9.1: Minimum On-Site Requirements

Land Use Type	Plant Materials		
	Shade Trees	Ornamental or Evergreen Trees	Shrubs
Institutional Uses	2 per acre	3 per acre	10 per acre
Business Uses	10 per acre	10 per acre	25 per acre
Industrial Uses	5 per acre	5 per acre	25 per acre

A proportional decrease in the required number of trees is allowed if larger caliper trees are planted. Trees with caliper measures of four (4) inches may replace two (2) required two (2) inch caliper trees.

3. Institutional uses include, without limitation, schools, churches and government offices.

4. For Institutional uses:
   a. Trees required to be planted in interior parking lot landscaping areas may be counted toward meeting on-site landscaping requirements as set forth in the table above.
   b. Identified acreage for constructed athletic fields and courts (including the adjacent perimeter for coaching and spectator viewing), and constructed playgrounds with equipment may be subtracted from the total acreage before computing on-site requirements.

5. Trees should be grouped together whenever possible to simulate natural tree stands, versus trees being planted in straight rows.

6. Required trees and plantings within non-residential land uses must be planted per each lot requirement.

7. Existing trees or woodlands that are preserved may be counted toward minimum on-site planting requirements.

B. Road Frontage Standards

1. In non-residential developments where property abuts any public right-of-way, at least one shade tree per forty linear feet (40') of road frontage shall be planted adjacent to road rights-of-way. Trees planted along road frontage in non-residential developments may be credited toward overall on-site landscaping requirements set forth in Table XVII.9.1

2. Shade trees required to be planted along road frontage shall be located outside drainage and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

3. When evergreen and/or ornamental trees are preserved along road frontage and qualify for preservation credit, they may count 1:1 toward road frontage requirements.

C. Parking Area Standards – The following landscape requirements shall be applied to parking lots to screen parking areas from streets, to prevent the creation of large expanses of paving, and to provide shade to paved areas.

1. Parking Lot Landscaping

a. Area Required

i A portion of vehicular use areas shall be maintained as landscaped area. The total amount of interior parking lot area that must be landscaped shall be based on the total number of proposed parking spaces.

ii Parking lot landscaping on the interior shall be required at a minimum of five percent (5%) of the total parking area and shall be part of the landscaping plan

reviewed by the Director. The interior parking lot landscaping is calculated as part of the twenty percent (20%) open space lot coverage area requirement.

b. Parking Lot Islands

i Parking lot islands shall be dispersed throughout parking lots in a design and configuration that aesthetically corresponds to the size and shape of parking lots. Combining or placing parking lot islands together such that more than one tree may be planted in the island shall be considered when possible.

ii Parking lot islands shall be constructed at least six (6) inches above the surface of parking lots; they shall be a minimum of one hundred twenty (120) square feet in area; and they shall be a minimum of seven (7) feet in width, measured from back of curb to back of curb.

iii Interior landscaped areas shall be curbed in a manner that restricts vehicles from driving over landscaped areas.

iv Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.

v Parking lot islands shall include at least one (1) tree and four (4) shrubs per parking lot island. One hundred (100) percent of every parking island shall be covered with permitted groundcover material to achieve complete coverage.

vi No landscaping within parking lot islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting parking areas. Such landscaping shall be constructed in compliance with visibility standards set forth in WC 16.04.230 2.v of the Zoning Ordinance.

vii Trees and shrubs required to be planted in parking lot landscape islands may be counted toward meeting total on-site landscaping requirements as set forth in Table XVII.9.1

2. Perimeter Parking Lot Landscaping

a. Application

i Perimeter landscaping is required for parking lots with ten (10) or more spaces where:

(a) the parking lot is located within a required yard; or

(b) the parking lot is located within twenty (20) feet of a lot line or right-of-way line.

ii Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped an aesthetically pleasing manner.

iii Trees and shrubs to be planted in perimeter parking lot landscape areas may be counted toward meeting total on-site landscaping requirements as set forth in Table XVII.9.1.

b. Requirements - Perimeter parking lot landscape areas shall include the following landscape improvements:

i There shall be one tree per thirty (30) linear feet of parking lot length. Trees may be clustered.

ii There shall be one shrub per three (3) feet of parking lot length. Shrubs may be clustered.

iii Perimeter parking lot landscape areas not planted with trees or shrubs shall be covered with grass or other permitted groundcover or mulch.

D. Perimeter Yard Requirements

1. A 25-foot landscaping area shall be required between any adjacent street that is exclusive of driveways and parking areas. An entrance drive may cross this area at a 90-degree angle.

2. Any portion of the perimeter yards that is adjacent to a street shall be landscaped with a buffer screen of either a wall or fence of ornamental, block, brick, solid wood fencing or a compact hedge of evergreen and deciduous shrubs, at least 36 inches at time of planting or a combination thereof. Said wall, fence or hedge shall be at least 36 inches in height and shall be so constructed to such minimum height to restrict any view there through.

Section XVII.10 The Townes, The Vistas and Landscaping Requirements

A. Foundation Planting Standards

1. Yards, setback areas, and green space areas within developments shall be landscaped

with live vegetation.

2. One (1) shade tree, and six (6) shrubs shall be planted in each front yard. A planting bed will be provided along 100% of the front façade.

3. A masonry stone wall, hedge row or fence is permitted at the front and side property lines with fences to be approved by the Architectural Review Committee. Maximum height is to be 42".

4. A minimum of four (4) shrubs shall be planted in each side yard. A planting bed will be provided along the area of the shrub plantings.

5. 6'-0" high hedgerow or privacy fence is permitted at rear and side yard building line but must be held behind front building line.

6. Each home shall have a minimum of one shade (1) tree in the rear yard.

7. Shade trees shall have a minimum caliper of 2" measured at 12" above grade. The minimum caliper of ornamental trees shall be 1-1/2" measured at 12" above grade or for multi-trunk trees, 10' tall planted. Shrubs shall be a minimum of 18" tall at planting. Twenty-five percent of required shrubs may be substituted with perennial plants at the rate of 4 perennials per 1 shrub.

8. Trees should be grouped together whenever possible to simulate natural tree stands, versus trees being planted in straight rows.

9. Required trees and plantings within non-residential land uses must be planted per each lot requirement.

10. Existing trees or woodlands that are preserved may be counted toward minimum planting requirements.

B. <u>Road Frontage Standards</u>

1. In residential developments, where property abuts primary arterials, secondary arterials,

or collector roads not internal to subdivisions, at least one shade tree per thirty linear feet (30') of road frontage shall be planted adjacent to road rights-of-way.

2. Shade trees required to be planted along road frontage shall be located outside drainage and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

3. When evergreen and/or ornamental trees are preserved along road frontage and qualify for preservation credit, they may count 1:1 toward road frontage requirements.

C. Parking Area Standards – The following landscape requirements shall be applied to parking lots to screen parking areas from streets, to prevent the creation of large expanses of paving, and to provide shade to paved areas.

1. Parking Lot Landscaping

a. Area Required - A portion of vehicular use areas shall be maintained as landscaped area. The total amount of interior parking lot area that must be landscaped shall be based on the total number of proposed parking spaces. Such standards are set forth in Table XVII.10.1:

Table XVII.10.1 : Percentage of Parking Lot Landscaping

Number of Parking	Percentage of Vehicular Use Area to Be Landscaped
0 to 4	0 %
5 to 24	5 %
25 to 49	7.5 %
50 or more	10 %

b. Parking Lot Islands

i. Parking lot islands shall be dispersed throughout parking lots in a design and configuration that aesthetically corresponds to the size and shape of parking lots. Combining or placing parking lot islands together such that more than one tree may be planted in the island shall be considered when possible.

ii. Parking lot islands shall be constructed at least six (6) inches above the surface of parking lots; they shall be a minimum of one hundred twenty (120) square feet in

area; and they shall be a minimum of seven (7) feet in width, measured from back of curb to back of curb.

iii. Interior landscaped areas shall be curbed in a manner that restricts vehicles from driving over landscaped areas.

iv. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.

v. Parking lot islands shall include at least one (1) tree and four (4) shrubs per parking lot island. One hundred (100) percent of every parking island shall be covered with permitted groundcover material to achieve complete coverage.

vi. No landscaping within parking lot islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting parking areas. Such landscaping shall be constructed in compliance with visibility standards set forth in WC 16.04.230 2.v of the Zoning Ordinance.

2. Perimeter Parking Lot Landscaping

a. Application

i. Perimeter landscaping is required for parking lots with ten (10) or more spaces where:

(a) the parking lot is located within a required yard; or

(b) the parking lot is located within twenty (20) feet of a lot line or right-of-way line.

ii. Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped an aesthetically pleasing manner.

b. Requirements - Perimeter parking lot landscape areas shall include the following landscape improvements:

i. There shall be one tree per thirty (30) linear feet of parking lot length. Trees may be clustered.

ii. There shall be one shrub per three (3) feet of parking lot length. Shrubs may be clustered.

iii. Perimeter parking lot landscape areas not planted with trees or shrubs shall be covered with grass or other permitted groundcover or mulch.

Section XVII.11 The Villas and The Gardens Landscaping Requirements

A. Foundation Planting Standards

1. Yards, setback areas, and green space areas within developments shall be landscaped with live vegetation.

2. A minimum of four (4) shade trees, and ten (10) shrubs shall be planted for each dwelling unit. A planting bed will be provided along 100% of the building façade. Plantings may be placed throughout the District and evergreen trees may be substituted for shrubs at a rate of one evergreen for every 4 shrubs.

3. A masonry stone wall, hedge row or fence is permitted at the front property lines with fences to be approved by the Architectural Review Committee. Maximum height is to be 42".

4. 6'-0" high hedgerow or privacy fence is permitted.

5. Shade trees shall have a minimum caliper of 2" measured at 12" above grade The minimum caliper of ornamental trees shall be 1-1/2" measured at 12" above grade or for multi-trunk trees, 10' tall planted Shrubs shall be a minimum of 18" tall at planting. Twenty-five percent of required shrubs may be substituted with perennial plants at the rate of 4 perennials per 1 shrub

6. Trees should be grouped together whenever possible to simulate natural tree stands, versus trees being planted in straight rows.

7. Required trees and plantings within non-residential land uses must be planted per each lot requirement.

8. Existing trees or woodlands that are preserved may be counted toward minimum planting requirements.

B. Road Frontage Standards

1. In residential developments, where property abuts primary arterials, secondary arterials, or collector roads not internal to subdivisions, at least one shade tree per thirty linear feet (30') of road frontage shall be planted adjacent to road rights-of-way.

2. Shade trees required to be planted along road frontage shall be located outside drainage and utility easements, shall be located in a manner that mitigates interference with infrastructure located within such easements and may be clustered or grouped in order to attain creative site design.

3. When evergreen and/or ornamental trees are preserved along road frontage and qualify for preservation credit, they may count 1:1 toward road frontage requirements.

C. Parking Area Standards – The following landscape requirements shall be applied to parking lots to screen parking areas from streets, to prevent the creation of large expanses of paving, and to provide shade to paved areas.

1. Parking Lot Landscaping

a. Area Required - A portion of vehicular use areas shall be maintained as landscaped area. The total amount of interior parking lot area that must be landscaped shall be based on the total number of proposed parking spaces. Such standards are set forth in Table XVII.11.1:

Table XVII.11.1 : Percentage of Parking Lot Landscaping

Number of Parking	Percentage of Vehicular Use Area to Be Landscaped
0 to 4	0 %
5 to 24	5 %
25 to 49	7.5 %
50 or more	10 %

b. Parking Lot Islands

i. Parking lot islands shall be dispersed throughout parking lots in a design and configuration that aesthetically corresponds to the size and shape of parking lots. Combining or placing parking lot islands together such that more than one tree may be planted in the island shall be considered when possible.

ii. Parking lot islands shall be constructed at least six (6) inches above the surface of parking lots; they shall be a minimum of one hundred twenty (120) square feet in area; and they shall be a minimum of seven (7) feet in width, measured from back of curb to back of curb.

iii. Interior landscaped areas shall be curbed in a manner that restricts vehicles from driving over landscaped areas.

iv. Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.

v. Parking lot islands shall include at least one (1) tree and four (4) shrubs per parking lot island. One hundred (100) percent of every parking island shall be covered with permitted groundcover material to achieve complete coverage.

vi. No landscaping within parking lot islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting parking areas. Such landscaping shall be constructed in compliance with visibility standards set forth in WC 16.04.230 2.v of the Zoning Ordinance.

2. Perimeter Parking Lot Landscaping

a. Application

i. Perimeter landscaping is required for parking lots with ten (10) or more spaces where:

(a) the parking lot is located within a required yard; or

(b) the parking lot is located within twenty (20) feet of a lot line or right-of-way line.

ii. Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped an aesthetically pleasing manner.

b. Requirements - Perimeter parking lot landscape areas shall include the following landscape improvements:

i. There shall be one tree per thirty (30) linear feet of parking lot length. Trees may be clustered.

ii. There shall be one shrub per three (3) feet of parking lot length. Shrubs may be clustered.

iii. Perimeter parking lot landscape areas not planted with trees or shrubs shall be covered with grass or other permitted groundcover or mulch.

ARTICLE XVIII

SIGN STANDARDS

A. Purpose and Intent. It is the intent of this article to establish sign regulations for the design, placement, and maintenance of signs in the Aurora PUD which provide a reasonable and impartial means to permit communication, protect the public health, safety, and general welfare, minimize hazards to pedestrians and motorists along thoroughfares and at intersections, enhance the aesthetic environment of the Aurora PUD, safeguard property values, minimize possible adverse effects of signs on nearby property, protect public and private investment in buildings and open spaces and implement relevant provisions of the comprehensive plan as updated on an annual basis.

B. Applicability. These regulations shall be applicable to all signs within the Aurora PUD, which:

1. Are newly constructed, erected, or placed into operation after the effective date of this ordinance; and

2. Involve relocation or replacement of existing sign structures or supports commenced after the effective date of this ordinance.

C. Exceptions. All signs require a sign permit from the Community Development Department. Exceptions to the sign standards and permit requirements under this chapter shall include:

1. All regulatory, informational, identification, or directional signs required by law or government entity;

2. Temporary signs advertising annual events put on by Westfield or Washington Township public entities and school districts;

3. Scoreboards for public and private recreational facilities and institutions that do not provide for commercial or business advertising displays;

4. Permanent drive-thru menu boards where drive-thru uses are permitted;

5. Window signage placed upon the building interior, or flush with window surface, not covering more than 50 percent of the window upon which it is placed.

6. Postal signs, historic site makers or plaques, flags of government or noncommercial institutions, gravestones, and address numbers;

7. Structures and/or containers intended for separate use such as phone booths, waste management containers, and point-of-purchase advertising displays;

8. Lettering or symbols placed directly onto a licensed and operable motor vehicle or trailer operating in the normal course of business provided that a vehicle or trailer is not parked or positioned solely for advertising purposes;

9. Private informational signs such as "no trespass," "private," "sale," etc. which do not exceed four (4) square feet in surface area;

10. Signs offering residential property for sale, lease, or rent, provided that such signs shall not exceed eight (8) square feet per face, are placed wholly on the subject property and are limited to a maximum of one (1) sign per street frontage;

11. Signs offering commercial or industrial property for sale, lease, or rent, provided that such signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, and are limited to a maximum of one (1) sign per street frontage;

12. Signs advertising construction projects, provided that such signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, are limited to a maximum of one (1) sign per street frontage, and shall be removed at the end of construction;

13. Political signs which do not impair lines of sight for vehicles or pedestrians; and

14. Seasonal decorations within the appropriate holiday season or civic festival season.

15. Sales signs used in connection with the sale of Real Estate within the Aurora PUD that are nine (9) square feet in size per side or smaller; and
16. Builder and contractor signs used to denote the contractor constructing a residence or owning a lot within the Aurora PUD that are six (6) square feet in size or smaller; and
17. Event signs and banners up to thirty-two (32) square feet in area and seven (7) feet in height used to promote a special event such as a home show which shall be displayed no longer than thirty (30) days. Special event signs may be banners or free standing signs and shall be displayed no longer than twenty-one (21) days prior to and seven (7) days after the event; and
18. Flags mounted on a pole and installed in the ground or on a building are exempt provided that the pole and flag do not exceed maximum height allowed. No more than two flags shall be mounted on a pole; and
19. Interior building signs that are not intended to be legible from outside a building; and
20. Lot identification signs no larger than six (6) square feet in size and common area identification monuments and signs.
21. Signs depicting the site plan of a District assuming completion of development in accordance with the development plan and indicating the location within the Real Estate of the person viewing the sign, shall be permitted without a sign permit provided the following standards are met:
    i. The maximum sign area per Area shall be ninety-six (96) square feet.
    ii. The maximum height shall be ten (10) feet.
    iii. Site plan signage may be illuminated.
    iv. Site plan signage shall be removed when 95% of the lots have been sold.
22. Real estate sales, model home signs, shall be permitted provided the following standards are met:
    i. The maximum sign area shall be 32 square feet.
    ii. The maximum height of the sign shall be eight feet.
    iii. Limited to one sign for each street frontage of the lot, with no more than two sign faces per sign. The sign may be illuminated.
    iv. Signs for detached dwellings and commercial structures shall be removed within seven days after the date the unit is sold or occupied.

v. With respect to attached dwellings, when 95% of the dwellings are sold or occupied, real estate signs are limited to a ground sign, a wall sign or a window sign of eight square feet or less.

D. Prohibitions. Prohibitions to these sign standards, except as otherwise permitted hereunder. shall include the following:

1. No signs or sign structure shall be similar in coloring, shape, function or location nor resemble, conflict with or be confused with any approved traffic-control sign or device;

2. No sign shall create a safety hazard for vehicles or pedestrians as determined by the Town Engineer;

3. No sign shall be placed in any public right-of-way except publicly owned traffic-control and transit signs, informational, identification, and directional signs;

4. No pole signs shall be permitted within Westfield-Washington Township (See Pole Sign in definitions);

5. No off-premise sign shall be permitted within Westfield-Washington Township;

6. No display of temporary signs such as banners, posters, pennants, ribbons, streamers, spinners, strings of lights, balloons or inflatable signs shall be permitted except for banners permitted on a limited basis pursuant to this Ordinance;

7. No sign shall project into the public right-of-way; except that a business sign mounted on a building may be permitted to project eighteen (18) inches from the face of a building elevation. Relief from this standard may be granted by the Town Council or designee;

8. No sign shall be mounted on a roof or extend above an eave or parapet of a building wall;

9. No sign shall be permitted to revolve, flash, blink, swing or appear to move. Flags are exempt from this regulation;

10. No sign shall be affixed to trees, fence posts, utility poles or other support structures; and

11. No sign shall be placed on a personal or commercial vehicle or trailer which is then parked or positioned for the primary purpose of displaying the said sign.

E. General Sign Regulations. All signs shall conform to the following regulations:

1. Signs must be kept clean, painted, in working operation and free of hazards, such as but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in a safe condition so as not to be detrimental to the public health, safety or general welfare;

2. Abandoned sign copy shall be removed by the owner or lessee of a site upon which the sign is located within three (3) months after the business or service advertised by the sign ceases operations;

3. Sign foundations and structures with copy removed may remain upon a site for twenty-four (24) months with the property owner's written consent provide that the foundations and structure are maintained pursuant to WC 16.08.010 E, 1.

4. All monument signs shall be designed and located to maintain clear lines of sight along public rights-of-way;

5. Maximum sign height shall be measured from the natural grade elevation upon which the sign is placed or crown height of the adjacent roadway, whichever is higher;

6. Illumination of signs shall be regulated per Section WC 16.07 of the Westfield-Washington Township Zoning Ordinance;

7. Illuminated signs shall be setback a minimum distance of twenty-five (25) feet from any residential district;

8. In no instance shall a permitted nonresidential use or tenant be restricted to less than twenty-five (25) square feet -of sign area, nor shall any permitted nonresidential use or tenant be permitted to display more than five (500) hundred square feet of sign area;

9. Sign area shall be computed as the smallest continuous rectangular figure that circumscribes a single sign display including writing, representations, emblems, logos or other displays, exclusive of the supporting framework, base, or structural bracing clearly incidental to the sign display;

10. In no instance shall wall sign square footage exceed the linear footage of the wall on which it is placed (See "Linear Footage, Wall" in Definitions);

11. Changeable copy signage shall be allowed only when incorporated into a permanent sign structure as allowed by this ordinance; and,

12. For signage with changeable copy area, the entire changeable copy area shall be counted toward sign display area square footage, regardless of the amount of information placed upon the changeable copy area.

F. Development Identification Signs. Development identification signs at street entrances into and within the Real Estate provided the following standards are met:

1. The design of the sign shall be consistent with the Design Vocabulary.

2. The maximum sign area per sign shall not exceed 80 square feet per side. Matching signs which are installed on both sides of a street entrance shall be treated as one sign.

3. The area surrounding the sign(s) shall be appropriately landscaped.

4. The sign may be illuminated, provided, however, that such signs shall not be internally lit.

5. The sign shall not exceed fifteen (15) feet in height.

6. The sign shall not be located within the right-of-way.

G. Residential District Signs. No sign shall be erected in a residential district except for the following:

1. Residential complexes and subdivisions shall be permitted either of the following entrance signage options:
   a. One (1) monument sign per residential complex or subdivision entrance, which shall not exceed nine (9) feet in height, and shall not exceed thirty-two (32) square feet per sign face; or,
   b. Two (2) separate sign display areas per entrance, provided that the sign display areas are directly incorporated into an entrance landscape feature, wall, or other decorative feature. In no instance shall the sign display area exceed fifteen (15) feet in height or total more than one hundred (100) square feet of sign area.

2. Home occupations shall be permitted one (1) sign per residence which shall not exceed 4 square feet in total sign area; and
3. Home occupation signs shall only be affixed to a wall or door of the structure containing the business.
4. Permitted non-residential uses located in residential districts shall be allowed signage as per Section I below.

H. The Shoppes District – General Requirements. The following provisions shall govern the signage located upon and within The Shoppes District. To the extent they conflict with the provisions of this Aurora PUD ordinance, the following provisions and standards shall control:

1. All wall signage shall be reverse channel letter neon.
2. Monument signs shall be architecturally compatible with the primary structures.
3. All other signage requirements for The Shoppes District shall be in conformance with the standards in this Aurora PUD ordinance.

I. Individual Nonresidential Signs. All individual nonresidential uses shall be permitted signage as detailed below. Out lots of nonresidential centers are NOT considered individual uses, and are permitted signage as detailed in Section J below.

1. Sign Area Allocation:
   a. For all permitted individual nonresidential uses, total sign area allocation permitted shall be one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way; and,

   b. The total permitted sign area allocation may be divided between monument, wall, and awning.

2. Monument Signs:
   a. A maximum of one (1) monument sign shall be permitted for each public street frontage per lot in all zoning districts;

b. Monument signs may have a maximum sign display area of sixty (60) square feet per sign face;

c. Monument sign display area may have a maximum height dimension of six (6) feet and a maximum width dimension of twelve (12) feet;

d. Monument signs may have a maximum sign height of nine (9) feet only when incorporating a sign base and sign cap features;

e. Monument signs incorporating a cap or base shall have a minimum base height of six (6) inches, a maximum base height of twenty-four (24) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed three (3) feet; and,

f. Sign caps and bases shall not be used for sign display or advertising purposes.

3. Setbacks:

a. All signs shall conform to the side and rear yard setback requirements for structures as set forth in this PUD; and

b. Signs shall have a minimum front yard or right-of-way setback requirement of five (5) feet from a property line or right-of-way.

J. Nonresidential Center Signs.

1. Monument Sign(s) (Center Only):

a. Size:

i. Nonresidential centers less than 25,000 building square feet in size shall be permitted one monument sign per nonresidential center, which shall be no greater than nine (9) feet in height and have no more than sixty (60) square feet of sign area per face;

ii. Nonresidential centers which range in size from 25,000 building square feet to one hundred thousand (100,000) building square feet shall be permitted one monument sign per nonresidential center, which shall be no greater than fifteen (15) feet in height and have no more than one hundred and twenty (120) square feet of sign area per face;

iii. Nonresidential centers greater than one hundred thousand (100,000) building square feet shall be permitted one monument sign per nonresidential center, which shall be no greater than twenty-five (25) feet in height and have no more than two

hundred and fifty (250) square feet of sign area per face;

b. Nonresidential center monument signs shall have a minimum base height of six (6) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed six (6) feet; and,

c. Sign caps and bases shall not be used for display or advertising purposes.

2. Entrance Sign(s) (Center Only):

a. In addition to a nonresidential monument sign, a nonresidential center shall be permitted one (1) entrance sign per point of ingress; and

b. Nonresidential center entrance signs shall be limited to a maximum of six (6) feet in height, a sign area of thirty (30) square feet per sign face, and shall not contain tenant information.

3. Interior Circulation Sign(s) (Center Only):

a. Nonresidential centers are permitted interior circulation signage containing traffic directing information only (such as "Enter", "Exit", "Do Not Enter", etc.). Circulation signage shall be limited to a maximum of three (3) feet in height, and a sign area of two (2) square feet per sign face.

4. Center In-Line Tenant Signage:

a. All in-line tenants of nonresidential centers shall be permitted one (1) square foot of signage for each linear foot of tenant space front façade (See "Front Façade" in Definitions);

b. Corner in-line tenants shall have only one (1) front façade, that being the façade with the primary public entrance.

c. The total permitted sign area allocation may be divided between wall and awning signs;

d. Wall signs in nonresidential centers shall be located on front building elevations except that those tenants with corner locations are permitted to place signage on a side wall; and,

e. Any side wall sign square footage shall be deducted from the total sign allocation for the tenant space;

f. Center in-line tenants shall not be permitted individual monument signs.

5. Outlot Signage:
   a. All out lots of nonresidential centers shall be permitted one (1) square foot of sign area for each one (1) linear foot of building fronting on a public right-of-way;
   b. The total permitted sign area allocation may be divided between wall, awning, and under canopy signs;
   c. Signs may be located on any building elevation; and,
   d. All sign square footage shall be deducted from the total sign allocation for the out lot;
   e. Outlots within a nonresidential center shall not be permitted monument signs.

K. Sign Area Bonus. The total sign allotment for an individual nonresidential use, tenant, or a nonresidential center may be increased by a specified percentage for compliance with design criteria as listed below. Percentage increases shall be based on the original sign allotment calculation. If more than one criterion is met, then sign area bonuses will be granted cumulatively.

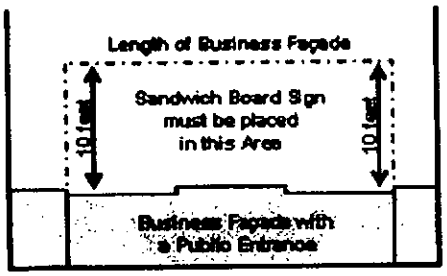
1. Sign Area Allotment Bonuses:
   a. Sign Number. A five (5%) percent sign area allotment bonus shall be granted for limiting the total number of signs to three (3) or less;
   b. Where monument signs are permitted, a ten (10%) percent sign area allotment bonus shall be granted for not having a monument sign.
   c. Alternative Materials. A ten (10%) sign area allotment bonus shall be granted when all signage on site is primarily comprised of decorative wood, sculpted metal, or equivalent substitutes. This bonus is also available on a Tenant/Outlet basis in Nonresidential Centers.
   d. Nonresidential Center Sign Plan. A ten (10%) percent sign area allotment bonus shall be granted if a uniform and complimentary sign plan is mandated for all signage on site, including center, tenant, and out lot signage. A sign plan must address colors and materials and be approved by the Community Development Director prior to the issuance of individual permanent sign permits for tenants and out lots.

2. Wall Sign Bonuses:
   a. Individual Letters. A ten (10%) percent wall sign area bonus shall be granted for individual nonresidential uses, tenants, or out lots whose wall signs consist only of individual letters mounted directly on a building surface.

3. Monument Signs:
   a. Materials. A ten (10%) percent monument sign area bonus shall be granted for using brick, stone or equivalent substitute in the construction of a sign base, cap and supporting structure.
   b. Matching Materials. A ten (10%) percent monument sign area bonus shall be granted if over fifty (50%) percent of the sign base, cap, and supporting structure matches the building materials used on a front elevation of the building(s).
   c. Landscaping. A ten (10%) percent monument sign area bonus shall be granted for landscaping the area around a base of a monument sign. Refer to Section 16.06.010 of the Zoning Ordinance for landscaping details.

L. Sandwich Board Signs.

1. Sandwich board signs shall only be permitted in commercial zoning districts and shall conform to the following regulations:
2. The placement of sandwich board signs shall not impede pedestrian or vehicular traffic;
3. One (1) sandwich board sign shall be permitted per individual commercial or business use;
4. Sandwich board signs shall not count toward the total sign allotment for a commercial use or business;
5. Sandwich board signs shall not exceed six (6) square feet per sign face;
6. Sandwich board sign faces shall be constructed of a chalk board type material or equivalent substitute which permit the application of any identification, message or information with a non-permanent type of text, design or logo;
7. Sandwich board sign width shall not exceed three and one-half (3.5) feet when measured from the outside of a sign support and/or sign face;
8. Sign height shall not exceed five (5) feet when measured from the ground to the top of a sign face or sign support structure;
9. Sandwich board signs shall have a base support and the base support shall be weighted with a minimum ten (10) pound ballast to ensure sign stability;
10. Sandwich board signs shall not be permanently affixed to any structure or sidewalk, and must be removed at the end of each business day;
11. Signs shall only be placed within 10 feet of, and directly in front of, a business façade having a public entrance. See the graphic below:



12. Placement of sandwich board signs in a public right-of-way shall require approval by the Westfield Town Council, or designee; and
13. More than two (2) sign violations of this ordinance in one calendar year shall result in the termination of the sandwich board sign permit and require removal of the sandwich board for that calendar year.

M. Under Canopy Signs. Under canopy signs shall only be permitted in commercial zoning districts and shall conform to the following regulations:

1. Under canopy signs shall be placed under canopies or roof overhangs.
2. Under canopy signs shall not count toward the total sign allotment for a commercial use or business;
3. Under canopy signs shall not exceed one (1) per building entrance;
4. Under canopy signs shall not exceed three (3) square feet in area;
5. Under canopy signs shall not be separately illuminated; and,
6. Under canopy signs shall contain only the address, logo, or name of the occupant or business served by the entrance.

N. Temporary and Special Event Signs. Temporary and special event signs shall only be allowed for permitted nonresidential and multi family uses in residential zoning districts and for all permitted uses in commercial zoning districts. All temporary and special event signage shall conform to the following regulations:

1. New businesses, seasonal businesses, grand openings, or special events may display a banner that does not exceed 32 square feet in size, and is securely attached to a structure or support device.
2. Application must be made, and a temporary sign permit issued PRIOR to the display of temporary signage.

3. All existing business shall be limited to one (1) temporary sign permit annually;
4. All temporary signs shall be placed on the property on which the permitted use is being conducted;
5. Temporary sign permits shall be limited to fifteen (15) calendar days per quarter; and
6. Temporary sign permits may be issued for a calendar year or renewed on a quarterly basis at the Community Development Department

O. Nonconforming Signs. All existing signs which do not conform to this section are designated lawfully nonconforming and shall either be removed or brought into compliance with these regulations at such a time when new development or expansion is proposed, or when a change in signage is proposed for the property upon which the sign is located. Lawful nonconforming signs shall not be relocated, expanded, or altered except to permit routine maintenance and repairs. In no case shall the replacement of individual tenant name panels on a non-residential center sign constitute the need to bring the non-residential center sign into compliance with these sign regulations.

P. Permits.

1. After the effective date of the ordinance codified in this title, and except as otherwise provided, no person shall erect any sign as defined herein without first obtaining a sign permit from the Community Development Department. The Community Development Department Director and his/her designated staff shall have the authority to review and decide upon all sign permit applications. Signs which shall not require a permit include all signs or displays permitted in Section 16.08.010 C, Exceptions. Application for a permit shall be made in writing, upon forms prescribed and approved by the Director and shall contain the following information:

   a. Name, address, and telephone number of applicant or business;
   b. Site address;
   c. Graphic scale;
   d. A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;
   e. A site plan indicating the location of any existing or proposed monument signs;

f. A square footage calculation of any proposed sign(s), as well as the location and square footage of all existing on-site sign(s);

g. Elevation of proposed signs including size, materials, color and dimensions;

h. A true color rendering of the proposed signs;

i. Illumination details for proposed signs, including the timing of sign illumination and method of control of such illumination;

j. Indication of sign type(s) as defined in this chapter;

k. Written consent of the owner of the building, structure, or land on which the sign is to be erected if the applicant is not the owner; and

l. Temporary and special event sign displays shall provide a schedule for sign displays which indicate the dates and duration of the sign displays.

m. Any other information necessary to support a thorough review of the project and as requested in writing by the Director

Q. All applications for permits shall be accompanied by payment of fees. The fee schedule shall be kept on file in the Community Development Department. If the proposed sign plan is in compliance with all the requirements of this zoning ordinance, a permit shall be issued.

ARTICLE XIX

OUTDOOR LIGHTING STANDARDS

A. Purpose and Intent. It is the purpose of this article to enhance the visual environment of the nighttime sky, protect the public health, safety and welfare, provide safe roadway conditions for motorists, cyclists, and pedestrians, and promote energy efficient, cost effective lighting while minimizing light pollution, intrusion and trespass from uncontrolled light sources. It is the intent of this article to minimize the intrusion of lighting across property lines and into the nighttime sky, thereby avoiding a disruption to the quality of life of Washington Township residents.

B. Applicability. These regulations shall be applicable to all outdoor lighting sources within the Aurora PUD, which are newly designed, constructed, erected or placed into operation.

C. Exceptions. Exceptions to these lighting standards shall include the following:

1. All outdoor light fixtures permitted prior to the adoption of the Aurora PUD;

2. All hazard warning lighting required by Federal and State regulatory agencies shall be exempt from the requirements of this chapter;

3. All temporary emergency lighting required by local law enforcement, emergency service and utility department(s), shall be exempt from the requirements of this chapter;

4. All traffic control and directional lighting shall be exempt from the requirements of this chapter;

5. All underwater lighting used for the illumination of swimming pools and water features shall be exempt from the lamp type and shielding standards of this chapter;

6. All lighting for temporary festivals and carnivals shall be exempt from the requirements of this chapter; and

7. All low wattage residential accent and landscape lighting fixtures having a maximum output of 1600 lumens (equal to one 100 watt incandescent light) per fixture shall be exempt from the requirements of this chapter.

D. Prohibitions. Prohibitions to the lighting standards of these regulations shall include the following:

1. The installation, sale, lease, or purchase of any mercury vapor lamp shall be prohibited;

2. The use of laser source light or other similar high intensity light for outdoor advertising, when projected above the horizontal shall be prohibited;

3. The operation of searchlights and floodlights for advertising purposes shall be prohibited;

4. The use of any lighting source on towers shall be prohibited except as required by the Federal Aviation Administration; and

5. The illumination of off-site advertising signs shall be prohibited.

E. General Lighting Standards. For The Shoppes District located in the Aurora PUD, the following standards shall apply:

1. Lighting shall be limited to 0.5-foot candles at the property line. This requirement is exempt when adjacent to public right-of-way.

2. There shall be no greater than a 20 to 1 ratio of lighting with a ten foot-candle maximum on site.

3. Light pole height shall not exceed thirty feet (30').

4. Light fixtures shall be decorative along the entrance drives and along public rights-of-way approved as part of the overall architecture, but overall site illumination into the atmosphere shall be restricted through the use of shields on the fixture to include a horizontal lamp and no more than a 180-degree angle of light.

F. General Lighting Standards. For all other Districts located in the Aurora PUD, the following standards shall apply:

1. All light fixtures shall be fully shielded and direct light downward toward the earth's surface;

2. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent property and public rights-of-way;

3. All lighting sources shall be positioned in such a manner as to direct light away from adjacent property and public rights-of-way;

4. Light pole height shall not exceed twenty-five feet (25'). All parking area light fixtures shall be designed and located to confine emitted light to the parking area; and

5. All lighting fixtures must meet building code requirements for their appropriate construction class;

G. Multi-Family Residential, Commercial and Industrial Standards. For all multi-family residential, commercial, and industrial uses the following standards shall apply:

1. All light fixtures shall be positioned in such a manner so that no light-emitting surface is visible from a residential area or public right-of-way when viewed at ground level;

2. Light meter readings shall not exceed: one-half (0.5) foot-candles at a single-family residential property line, or one-half a (0.5) foot-candle at a multi-family residential property line or one (1.0) foot-candle at all other non-residential property lines. It should be understood that, with all of these measurements, light will still be visible at or beyond property lines.)

3. All lights on poles, stands, or mounted on a building shall have a shield, adjustable reflector, and non-protruding diffuser;

4. All canopy structures shall have lights with diffusers which are recessed, and which do

not extend below the surface of the canopy as measured on a plane parallel to the earth's surface;

5. Lighting under awnings and canopies shall only illuminate a building front, a sign under an awning or canopy, or the sidewalk, but shall not illuminate the awning or canopy itself;

6. Thirty (30) percent of all parking area lighting shall be turned off within 30 minutes of closing of the last business or no later than 11:00 p.m.; and

7. No outdoor sports or recreational facilities shall be illuminated after 11:00 p.m. except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.

H. Sign Lighting.

1. Lighting fixtures used to illuminate an outdoor advertising sign shall be mounted on top of or above the sign structure and shall comply with the shielding requirements of this chapter;

2. Lighting fixtures used to illuminate ground mounted or monument signs may be illuminated with a ground mounted or bottom mounted lighting fixture, provided that the fixture is fully shielded and all light output is directed onto the sign surface.

3. No sign lighting shall pulse, rotate, blink, flash or simulate motion, except a display containing only the time and temperature; and

4. Lamps utilized for the internal illumination of wall signs shall be turned off at 11:00 p.m. or when business closes.

I. Lighting Plans. The applicant for any permit required by Westfield-Washington Township that proposes outdoor lighting shall submit a lighting plan set which includes:

1. A site plan indicating the location of all lighting structures, supports and fixtures, including those fixtures which presently exist on site and those which are proposed for

the site;

2. A graphic and/or textual description of all lighting fixtures, both proposed and existing on-site. The description may include, but is not limited to cut sheets and illustrations by the manufacture, lamp types, wattages, and lumen outputs;

3. A site plan with illuminance levels superimposed on the site plan in the form of an iso foot-candle diagram or point-by-point grid diagram.

4. All plot lighting levels shall be depicted at 10-foot intervals or less.

5. The iso foot-candle diagram shall plot foot-candle increments of one-half (0.5) foot-candle or less; Photometric data depicting the angle of cut off of light emissions; and

6. Any other information that the Planning Director determines necessary to ensure compliance with the provisions of this chapter.

EXHIBIT A

LEGAL DESCRIPTION

Part of the Northeast Quarter and part of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence South 00 degrees 00 minutes 19 seconds East (Indiana State Plane Coordinate System-East Zone NAD83) a distance of 237.40 feet on the East line of said Southeast Quarter to the Southeast corner of the real estate described in Deed Book 310, page 449 in the Office of the Recorder, Hamilton County, Indiana, said corner being the Point of Beginning; thence continuing South 00 degrees 00 minutes 19 seconds East 254.67 feet on the East line of said Southeast Quarter; thence North 89 degrees 53 minutes 10 seconds West 2761.71 feet parallel with the South line of the North half of the Northeast Quarter of said Northeast Quarter to a West line of the real estate described in Deed Book 345, page 360, in said Recorder's Office; the following ten (10) courses are on the perimeter of the real estate described in said Deed Book 345, page 360; 1) thence North 00 degrees 00 minutes 29 seconds East 208.21 feet; 2) thence South 89 degrees 54 minutes 43 seconds East 238.00 feet; 3) thence North 00 degrees 00 minutes 29 seconds East 284.87 feet; 4) thence North 89 degrees 51 minutes 38 seconds West 147.25 feet; 5) thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet; 6) thence South 89 degrees 53 minutes 10 seconds East 2079.90 feet; 7) thence South 01 degree 28 minutes 38 seconds West 1336.02 feet; 8) thence South 89 degrees 51 minutes 38 seconds East 129.97 feet; 9) thence South 00 degrees 06 minutes 14 seconds East 233.82 feet; 10) thence South 89 degrees 26 minutes 46 seconds East 495.09 feet to the point of beginning, containing 90.22 acres, more or less.

And also:

Part of the Northeast Quarter, part of the Southwest Quarter and part of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows;

Commencing at the Northeast corner of if e Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana;

thence South 00 degrees 00 minutes 19 seconds East (Indiana State Plane Coordinate System-East Zone NAD 83) a distance of 237.40 feet on the East line of said Southeast Quarter to the Southeast corner of the real estate described in Deed Book 310, page 449 in the Office of the Recorder, Hamilton County , Indiana, said corner being the POINT OF BEGINNING; thence continuing South 00 degrees 00 minutes 19 seconds East 1101.42 feet on the East line of said Southeast Quarter to the Southeast corner of the North Half of said Southeast Quarter; thence North 89 degrees 50 minutes 20 seconds West 2671.16 feet on the South line of the North Half of said Southeast Quarter to the Southwest corner of the North Half of said Southeast Quarter; thence North 89 degrees 54 minutes 35 seconds West 825.00 feet on the South line of the North Half of the Southwest Quarter of said Section 19 to the Southwest corner of Tract "C" as recorded in Deed Book 345, page 360 in the Office of the Recorder, Hamilton County, Indiana; the following twelve (12 courses are on the perimeter of the real estate described in said Deed Book 345, Page 360; 1)thence North 00 degrees 00 minutes 29 seconds East 635.25 feet; 2) thence South 89 degrees 54 minutes 35 seconds East 734.25 feet; 3) thence North 00 degrees 00 minutes 29 seconds East 417.56 feet; 4) thence South 89 degrees 54 minutes 43 seconds East 238.00 feet; 5) thence North 00 degrees (10 minutes 29 seconds East 284.87 feet; 6) thence North 89 degrees 51 minutes 38 seconds West 147.25 feet; 7) thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet; 8) thence South 89 degrees 53 minutes 10 seconds East 2079.90 feet; 9) thence South 01 degrees 28 minutes seconds West 1336.02 feet; 10) thence South 89 degrees 51 minutes 38 seconds East 129.97 feet; 11) thence South 00 degrees 06 minutes 14 seconds East 233.82 feet; 12) thence South 89 degrees 26 minutes 46 seconds East 495.09 feet to the POINT OF BEGINNING, containing 154.55 acres, more of less.

EXCEPT:

Part of the Northeast Quarter and part of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence South 00 degrees 00 minutes 19 seconds East (Indiana State Plane Coordinate System-East Zone NAD83) a distance of 237.40 feet on the East line of said Southeast Quarter to the Southeast corner of the real estate described in Deed Book 310, page 449 in the Office of the Recorder, Hamilton County, Indiana, said corner being the Point of Beginning; thence continuing South 00 degrees 00 minutes 19 seconds East 254.67 feet on the East line of said Southeast Quarter; thence North 89 degrees 53 minutes 10 seconds West 2761.71 feet parallel with the South line of the North half of the Northeast Quarter of said Northeast Quarter to a West line of the real estate described in Deed Book 345, page 360, in said Recorder's Office; the following ten (10) courses are on the perimeter of the real estate described in said Deed Book 345, page 360; 1) thence North 00 degrees 00 minutes 29 seconds East 208.21 feet; 2) thence South 89 degrees 54 minutes 43 seconds East 2,8.00 feet; 3) thence North 00 degrees 00 minutes 29 seconds East 284.87 feet; 4) thence North 89 degrees 51 minutes 38 seconds West 147.25 feet; 5) thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet; 6) thence South 89 degrees 53 minutes 10 seconds East 2079.90 feet; 7) thence South 01 degree 28 minutes 38 seconds West 1336.02 feet; 8) thence South 89 degrees 51 minutes 38 seconds East 129.97 feet; 9) thence South 00 degrees 06 minutes 14 seconds East 2 82 feet; 10) thence South 89 degrees 26 minutes 46 seconds East 495.09 feet to the point of beginning, containing 90.22 acres, more or less.

And also:

Part of the Northeast Quarter of Section 9, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence South 89 degrees 54 minutes 41 seconds East (assumed bearing) 978.90 feet on the North line of said Northeast Quarter; thence South 00 degrees 00 minutes 08 seconds East 1335.19 feet parallel with the West line of said Northeast Quarter to the South line of the North half of said Northeast Quarter; thence North 89 degrees 53 minutes 10 seconds West 978.90 feet on the South line to the North half of said Northeast Quarter to a 5/8 inch diameter rebar with cap marked "Weihe Engr 0012" at the Southeast corner of the North half of said Northeast Quarter;

thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet on the West line of said Northeast Quarter to the Beginning Point, containing 30.00 acres, more or less.

And also:

Part of the Northeast Quarter of Section 19, Township 19 North, Range 4, East, 2nd P.M., Washington Township, Hamilton County, Indiana, described as follows:

BEGINNING at the Northwest. corner of the Northeast Quarter of Section 19, Township 19, North, Range 4 East, 2nd P.M., Washington Township, Hamilton County, Indiana; thence South 89 degrees 54 minutes 41 seconds East (Indiana State Plane Coordinates-East Zone NAD 83) a distance of 2248.54 feet on the North line of said Northeast Quarter to the Centerline of State Highway 38; thence South 60 degrees 52 minutes 07 seconds East 481.49 feet to the East line of said Northeast Quarter, thence South 00 degrees 02 minutes 34 seconds East 1102.19 feet on the East line of said Northeast Quarter to the Southeast corner of the North Half of said Northeast Quarter; thence North 89 degrees 53 minutes 20 seconds West 2669.90 feet on the south line of the North Half of said Northeast Quarter to the Southwest corner of the North Half of said Northeast Quarter, thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet on the West line of said Northeast Quarter to the BEGINNING POINT, containing 80.70 acres, more or less.

EXCEPT

Part of the Northeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Beginning at the Northwest corner of the Northeast Quarter of Section 19, Township 19 North, Range 4 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence South 89 degrees 54 minutes 41 seconds East (assumed bearing) 978.90 feet on the North line of said Northeast Quarter; thence South 00 degrees 00 minutes 08 seconds East 1335.19 feet parallel with the West line of said Northeast Quarter to the South line of the North half of said Northeast Quarter; thence North 89 degrees 53 minutes 10 seconds West 978.90 feet on the South line to the North half of said Northeast Quarter to a 5/8 inch diameter rebar with cap marked "Weihe Engr 0012" at the Southeast corner of the North half of said Northeast Quarter;

thence North 00 degrees 00 minutes 08 seconds West 1334.75 feet on the West line of said Northeast Quarter to the Beginning Point, containing 30.00 acres, more or less

EXHIBIT B

WC 16.04190 Planned Unit Development District

A. Purpose.

The purpose of the planned unit development district is to provide the opportunity to design and construct a single project comprised of a mixture of land uses, zoning classifications, residential densities and nonresidential intensities under a single overlay zone and plan and under a single ownership or control To these purposes, the planned unit development seeks:

1. to encourage flexibility in the development of land in order to promote its most appropriate use;
2. to improve the design, character and quality of new developments;
3. to encourage a harmonious and appropriate mixture of uses;
4. to facilitate the adequate and economic provision of streets, utilities and municipal services;
5. to preserve the natural environmental and scenic features of the site;
6. to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and
7. to mitigate the problems which may be presented by specific site conditions.

The Town shall discourage the use of the planned unit development district as a means of circumventing the rezoning/subdivision process or to avoid the standards and requirements of this ordinance or the Subdivision Control Ordinance. The planned unit development district shall further be discouraged as a means to guarantee density/intensity increases over those permitted in the non-planned unit development district (i.e., SF 2/PUD versus SF 2).

B. Definition.

A Planned Unit Development (PUD) is a zoning opportunity for an area under single ownership or control which is developed in conformance with an approved plan, consisting of:

1. a map showing the development area and all improvements to the development area as outlined in this ordinance;
2. text which sets forth the uses and the development standards to be met; and
3. exhibits setting forth any aspects of the development plan not fully described in the map and text.
4. The land uses and development standards expressed in the approved plan shall constitute the land use and development regulations for the PUD site in lieu of the regulations for the non-planned unit development district, except as otherwise provided herein.

C. General Development Requirements for All Planned Unit Developments.

1. It is anticipated that Planned Unit Developments will generally offer the following advantages:
   a. Address the policies included in the Comprehensive Plan specific to the neighborhood in which the PUD is to be located so as to encourage consistency with the community development vision as presented in the Comprehensive Plan;
   b. Use design to provide compatibility between areas of different land uses and development intensities within the PUD;
   c. Buffer different types of land uses and development intensities outside of the PUD from those within the PUD so as to minimize any adverse impact which new

development may have on existing or zoned development;

d. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;
e. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area;
f. Promote architecture that complements the surroundings; and
g. Counteract urban monotony and congestion on streets.

2. The area designated in the PUD map must be a tract of land under single ownership or control. Single control of property under multiple ownerships may be accomplished through the use of enforceable commitments.

3. The concept plan shall indicate the land uses, development standards, and other applicable specifications which shall govern the development of the PUD site in lieu of the regulations for the non-planned unit development-district. If the concept plan is silent on a particular land use, development standard, or other applicable specification, then the standards of the non-planned unit development district or the applicable regulations shall apply.

4. The PUD concept plan map shall show the general location of all improvements.

5. The PUD must comply with all required improvements, construction standards, design standards, and all other engineering standards contained within the Zoning Ordinance, other pertinent regulations, and

   adopted standards and policies, except where modification is specifically authorized through the provisions of this Section of the Ordinance.

6. The PUD must include a statement of recreational amenities and how they benefit the PUD residents. The PUD must also designate and convey active and/or passive recreational areas in accordance with the following:
   a. In the case of mixed uses, recreational amenities shall be allocated to the property in proportion to the uses assigned to the PUD and shall be located within reasonable walking distance to those uses. Provided, however, the recreational amenities need not be located in proximity to the use in the case of preservation of existing features.
   b. If the Concept Plan provides for the PUD to be constructed in stages, recreational amenities must be provided for each stage of the PUD in proportion to that stage, unless otherwise indicated and approved through concept plan approval.
   c. Conveyance. Recreational amenities shall be conveyed in one of the following forms:
      i. To a municipal or public corporation; or
      ii. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the PUD. All conveyances hereunder shall be structured to insure that the grantee has the obligation and the right to effect maintenance and improvement of the recreational amenities and that such duty of maintenance and improvement is enforced by the owners and tenants of the PUD; or
      iii. To owners other than those specified in Subsections (a) and (b) above, and subject to restrictive covenants describing and guaranteeing the recreational amenities and its maintenance and improvement, running with the land for the benefit of residents of the PUD or adjoining property owners or the general community, or

any combination of these.

D. Procedure for Approval of Planned Unit Development.

1. Introduction. Applications shall be accompanied by all plans and documents required by Section E. A two (2) step application process shall be used, as follows:

   a. Pre-Filing Conference; and
   b. Concept Plan Approval.

2. Pre-Filing Conference. Prior to filing a formal application for approval of a PUD, the applicant shall schedule a pre-filing conference with the Community Development Department staff. The purpose of the pre-filing conference shall be to:
   a. Allow the applicant to present a general concept and to discuss characteristics of the development concept in relation to adopted Town policies; and
   b. Allow the Community Development Department staff to inform the applicant of applicable policies, standards and procedures for the PUD.

   The pre-filing conference is intended only for the above purposes. Neither the developer nor the jurisdiction is bound by any suggestion or recommendation or statement made during a pre-filing conference.

3. Procedure for PUD District Ordinance and Concept Plan Approval:
   a. A PUD District Ordinance application shall include a Concept Plan and shall be submitted to the Community Development Department Staff. The Concept Plan shall specify all land uses and applicable development regulations of the PUD in general terms. After determining the application to be complete, Staff shall undertake a review of the submitted information.
   b. The initial staff review and the application shall be submitted for Land Use Committee consideration in advance of the Plan Commission consideration of the application.
   c. The application and such other documents as may be pertinent to the PUD along with a staff report (including comments from the Land Use Committee) shall then be forwarded to the Plan Commission for its consideration.
   d. The Plan Commission shall hold a public hearing in accordance with IC 5-3-1.
   e. Upon completion of its review, the Plan Commission shall certify the application to the Westfield Town Council with a recommendation for approval, or a recommendation for approval with conditions or commitments, or a recommendation for disapproval, or no recommendation. The Council may then exercise all the authority provided by IC 36-7-4-1512.
   f. The Westfield Town Council shall vote on the proposal within 90 days after the Plan Commission certifies the proposal. The Council may adopt or reject the proposal. If the Plan Commission has given the proposal a favorable recommendation and the Council fails to act on the proposal within 90 days, the Ordinance takes effect as if it had been adopted as certified 90 days after certification. If the Plan Commission has failed to make a recommendation or has given the proposal an unfavorable recommendation and the Council fails to act on the proposal within 90 days, the proposal is defeated.

4. Effect of Approvals of PUD District Ordinance and Concept Plan:
   a. When a PUD District Ordinance and Concept Plan for a PUD have been approved by the Westfield Town Council, the Concept Plan shall become effective, shall be

recorded in the Hamilton County Recorder's Office and the Zoning Map shall be amended to designate the site as a PUD.

b. Upon such amendment of the zoning map, the use and development of the site shall be governed by the PUD District Ordinance and Concept Plan, subject to a secondary review conducted in accordance with the requirements of the Development Plan approval process and any other regulatory processes which may be required.

c. No permit of any kind shall be issued until the secondary review by Development Plan has been approved and any other regulatory processes which may be required have been completed.

5. Secondary Review by Development Plan:

a. Development Plan Review, as provided for in WC 16.04.165, shall be required as the secondary review for all PUDs. In addition to those requirements, the Development Plan shall include a designation of the specific internal use or range of uses to which each building shall be put.

b. Where a Development Plan covers an entire PUD site, the Development Plan shall be submitted for approval not more than 18 months following Westfield Town Council's approval of the Concept Plan. The Plan Commission may extend the time for application for approval of Development Plan for good cause, consistent with the purposes of this Ordinance.

c. Development Plans may be submitted and approved in phases, with each phase representing a portion of the Concept Plan, if phasing and the time limit for submitting each phase for approval was approved as a part of the Concept Plan approval. The timing for submitting phases shall be as set forth in the Concept Plan rather than the established time period for single-phase Development Plans mentioned in the above paragraph. The Plan Commission may extend the time for application for approval of Development Plan for good cause, consistent with the purposes of this Ordinance.

d. Periodically, the Community Development Department staff shall report to the Plan Commission on PUDs whose time limits have expired. The applicants shall also be notified. The Plan Commission shall determine whether to consider extending the time or to initiate action to amend the Zoning Map so as to rescind the PUD designation and Concept Plan approval and return the property to the previous zoning district or another zoning district that is consistent with Comprehensive Plan policies.

e. The Development Plan shall conform to the approved Concept Plan which has been presented in accordance with the requirements listed below and approved by the Westfield Town Council.

f. No permit of any kind shall be issued for any purpose within a PUD except in accordance with the approved Development Plan, and after acceptance by the Town of Westfield of all required guarantees for improvements pursuant to Section E., 3.

E. Specific Development Requirements for all Planned Unit Developments PUD plans and supporting data shall include all documentation listed in this section of the Zoning Ordinance unless certain documentation is deemed superfluous by the Community Development Department staff due to the specific circumstances of the particular request.

1. Concept Plan Pre-Filing Conference Requirements

a. A written letter of intent describing the development intentions for the site

b. A scaled drawing of the site and its environs, in simple concept form, showing the proposed location and extent of land uses, major streets, and the approximate location of existing easements, natural features, and topographic or geologic constraints.

2. Concept Plan Requirements
   a. A drawing of the PUD shall be prepared at a scale not less 1"=100', or as considered appropriated by Community Development Department staff, and shall show, in general terms, the concept proposed for: major circulation; generalized location and dimensions of buildings, structures, and parking areas; open space areas; recreation facilities; and other details to indicate the character of the proposed development. The submitted drawing(s) shall include:
   b. A site location map showing the project location and other development projects in the vicinity.
   c. The name of the development, with the words "Concept Plan".
   d. Boundary lines and acreage of each land use component.
   e. Existing easements, including location, width and purpose.
   f. Existing land use on abutting properties.
   g. Other conditions on the site and adjoining land: topography (at 10foot contours) including any embankments or retaining walls; use and location of major buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision.
   h. Existing streets on and adjacent to the tract, including street name, right-of-way width, walks, pathways and bridges and other drainage structures.
   i. Proposed public improvements: collector and arterial streets and other major improvements planned by the public for future construction on or adjacent to the tract.
   j. Existing utilities on the tract.
   k. Any land on the tract within the floodplain as depicted on the Flood Insurance Rate Maps dated March 11, 1983, and as subsequently amended.
   l. Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, existing structures and other significant features such as significant isolated trees.
   m. Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
   n. Map data such as north point, graphic scale and date of preparation.

3. The Community Development Department staff shall inform the applicant of any additional documents or data requirements after the pre-filing conference.

4. A Written Statement of Character of the PUD shall provide an explanation of the character of the PUD and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall include:
   a. A specific explanation of how the proposed PUD meets the objectives of all adopted land use policies which affect the land in question.
   b. A statement of present and proposed ownership of all land within the project including the beneficial owners of a land trust.

5. Development scheduling indicating:
   a. Phases in which the project will be built, including the area, density, use, public facilities, and open space to be developed with each phase. Each phase shall be described and mapped.
   b. Projected dates for beginning and completion of each phase.

6. General details of the proposed uses:
   a. Residential Uses: gross area, architectural concepts (narrative, sketch, or

representative photo), number of units for each residential component;

b. Nonresidential Uses: specific nonresidential uses, including gross areas, architectural concepts (narrative, sketch, or representative photo), and building heights.

7. Preliminary concepts and reports for the following facilities:
   a. Streets
   b. Street lighting
   c. Sidewalks and pathways
   d. Sanitary sewers
   e. Water supply system
   f. Other utilities
   g. Storm water management
   h. Schools

8. A Traffic Impact Study (when a proposed development meets or exceeds the warrants of the INDOT Traffic Impact Study Guidelines (i.e., (i) 150 or more dwelling units; (ii) 15,000 square feet or more of retail space; (iii) 35,000 or more square feet of office space; (iv) 70,000 square feet or more square feet of industrial space; (v) 30,000 square feet or more of educational space; (vi) 120 or more occupied rooms; (vii) 46,000 or more square feet of medical space; or, (viii) any mixed use development which generates 100 or more peak hour trips in the peak direction).
9. A brief report of a neighborhood meeting to which the petitioner invited owners of property within 500 feet of the boundaries of the development to discuss the proposal. The report shall summarize the results of the meeting.

F. Review Considerations.
   1. In their consideration of a PUD District Ordinance and Concept Plan, the Community Development Department staff in its report to the Plan Commission, the Plan Commission in its recommendation, and the Westfield Town Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:
      a. The extent to which the PUD District Ordinance and Concept Plan meets the purposes of this Planned Unit Development District, the Comprehensive Plan, and any other adopted planning policies, objectives or regulations of the jurisdiction.
      b. The extent to which the proposed PUD District Ordinance and Concept Plan meets the requirements, standards, and stated purpose of this Planned Unit Development District.
      c. The extent to which the proposed PUD District Ordinance and Concept Plan departs from the zoning and other regulations that are otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.
      d. The proposal will not be injurious to the public health, safety, and general welfare.
      e. The physical design proposed by the PUD District Ordinance and Concept Plan and the extent to which it makes adequate provision for:
         i. public services;
         ii. adequate control over vehicular traffic;
         iii. protection of designated permanent open space; and
         iv. furthering the amenities of light, air, recreation and visual appeal.

      f. The relationship and compatibility of the proposed PUD District Ordinance and Concept Plan to the adjacent properties and neighborhood.

g. The desirability of the proposed PUD District Ordinance and Concept Plan in relation to the Town's physical development, tax base and economic well-being.
h. The development proposed by the PUD District Ordinance and Concept Plan will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services or improvements that are proposed by the developer as a part of the project approval.
i. The development proposed by the PUD District Ordinance and Concept Plan preserves significant ecological, natural, historical, and architectural resources to the extent possible.

G. Guarantee of Performance for Completion of Improvements.

A bond or other guarantee acceptable to the Town of Westfield shall be provided for all required public improvements and shall be executed prior to the time of improvement location permit issuance for single site developments or prior to subdivision plat recording, which ever applies. Improvements that shall be guaranteed include facilities which shall become public, and may include other facilities or improvements as may be specified in the Concept or Development Plan approval. If the project is to be built in phases, the guarantee shall be posted prior to the commencement of work on each phase. The guarantee shall specify the time for completion of improvements, and shall be in an amount of 110 percent of the estimated cost of the improvements.

H. Changes in the Planned Unit Development
1. Changes that shall require a new Concept Plan approval include changes which alter the concept or intent of the PUD including but not limited to:
   a. Increases in density or intensity;
   b. Changes in the proportion or allocation of land uses;
   c. Changes in the list of approved uses;
   d. Changes in the locations of uses;
   e. Changes in functional uses of open space, where such change constitutes an intensification of use of the open space; and/or
   f. Changes in the final governing agreements where such changes conflict with the Concept Plan approval.

I. Procedure for Making Changes to an Approved Planned Unit Development The procedure for making changes to an approved PUD shall be the same as the procedure for an initial PUD approval as outlined in WC 16.04.190 D, E and F

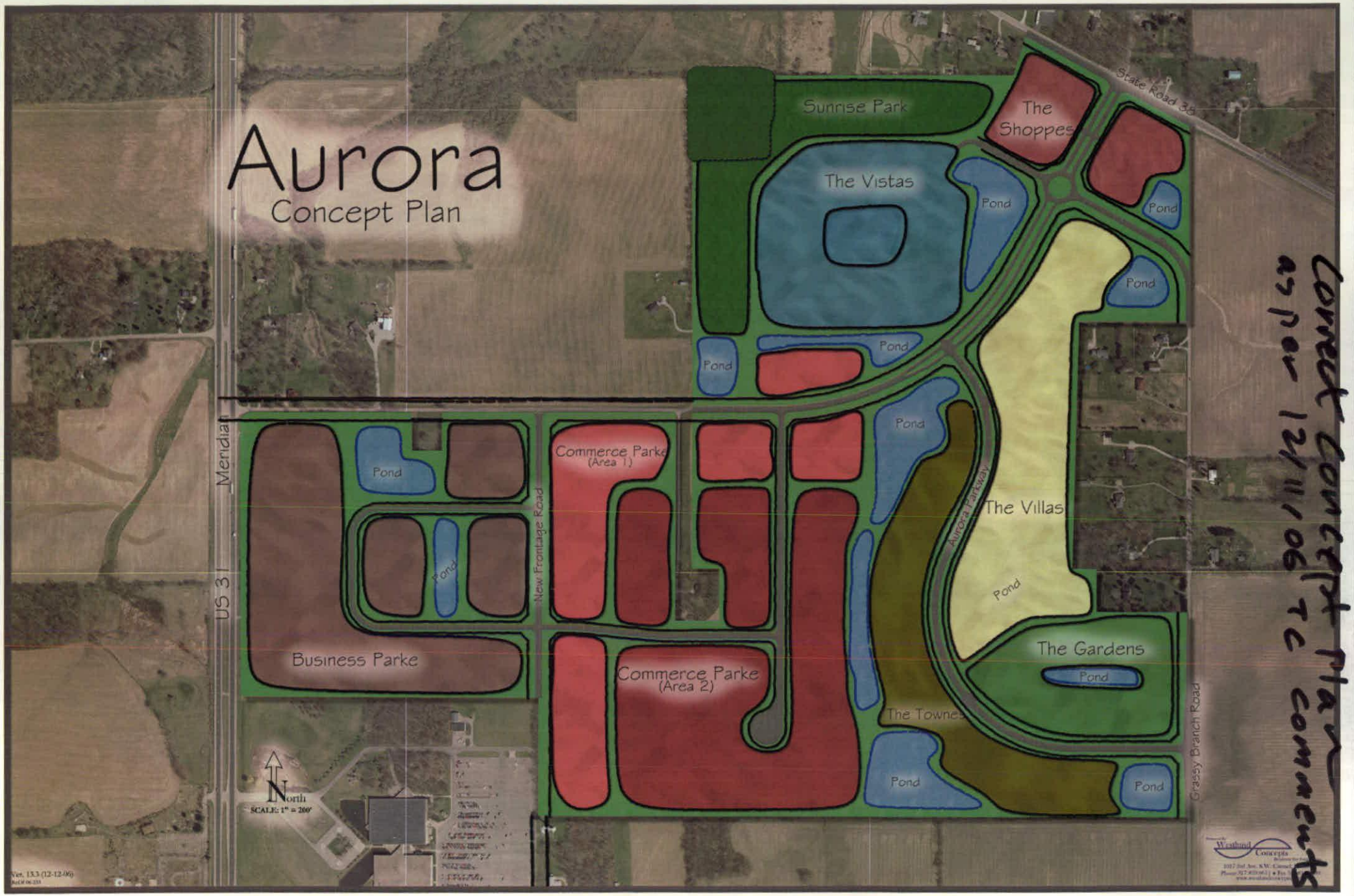
J. Sunset.
1. Timeline for Obtaining Approvals: Within 18 months from the date of the approval of the PUD District Ordinance and Concept Plan by the Council, application for Development Plan approval, in total or in phases, shall be submitted for review. The Plan Commission or Director, as provided by WC 16.04.165 B, shall review the Development Plan for consistency with the approved PUD District Ordinance and Concept Plan. If a Development Plan is filed for in phases, each subsequent phase shall be filed for within 18 months of the approval of the prior phase.

2. Expiration of PUD District Ordinance and Concept Plan. In the event that Development Plan approval is not obtained for all or a portion of the PUD within the time frames outlined in 1. above, the PUD District Ordinance and Concept Plan shall be deemed to have expired for that portion of the PUD that has not received Development Plan

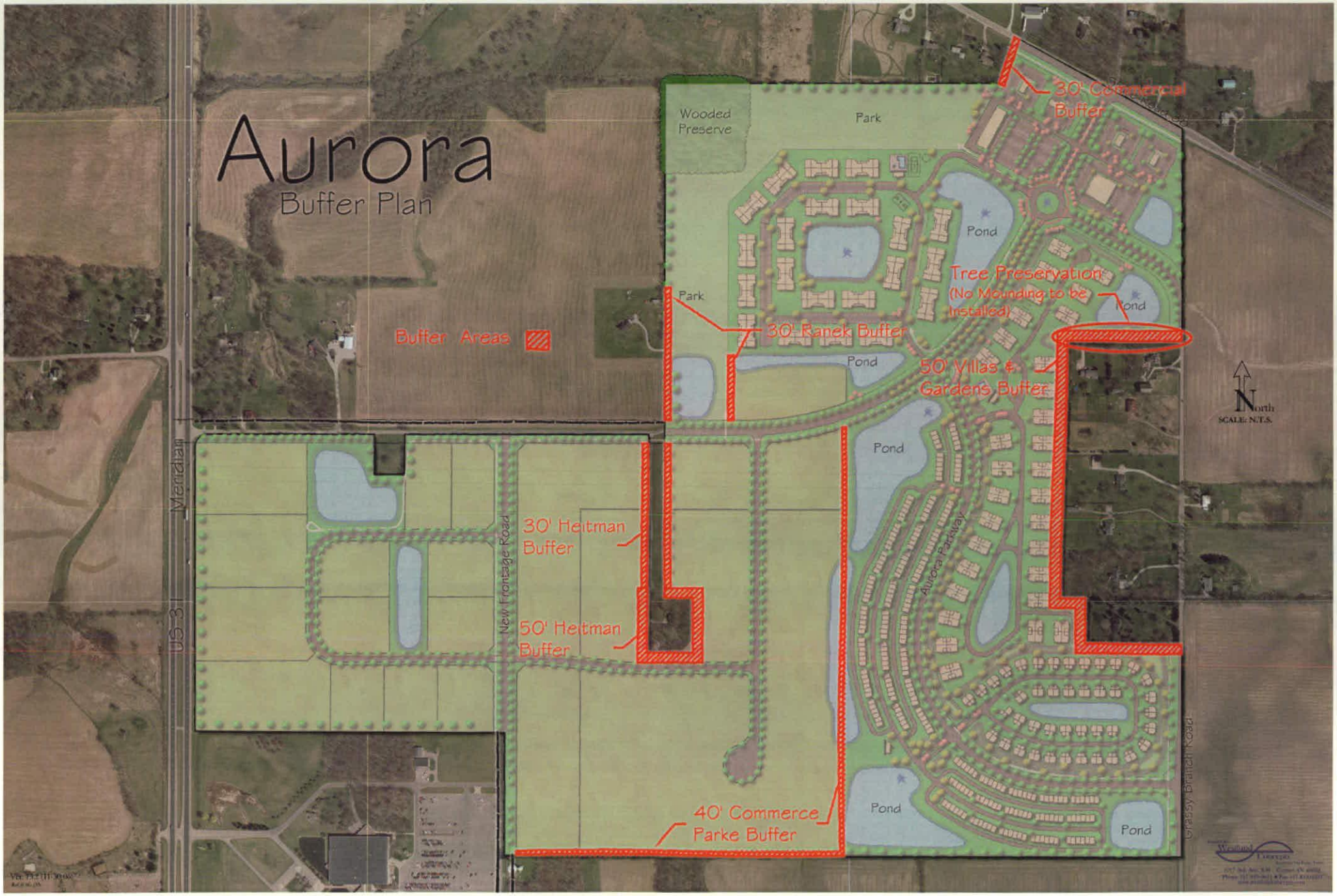
approval, except for the location and density of the proposed land uses depicted on such PUD District Ordinance and Concept Plan. Once a PUD District Ordinance and Concept Plan have expired for any portion of the PUD, no development shall occur within the expired portions of the PUD until:

a. a new PUD District Ordinance and Concept Plan are approved as set forth in WC 16.04.165 D, E and F; and
b. a Development Plan approval as required by this section has been obtained.

3. Extensions of Time. Extensions of time, in six (6) month increments not to exceed a total of 18 months, for obtaining Development Plan approval may be granted by the Director if requested in writing on or before the 18 month anniversary of approval of the PUD District Ordinance and Concept Plan and for good cause shown. In the event that the Director disallows a requested extension, the developer may appeal said determination regarding an extension of time to the Board of Zoning Appeals (as per IC 36-7-4-918.1) within 30 days of being notified of such determination.



Correct Concept Plan as per 12/11/06 TC comments


Aurora
Buffer Plan
Buffer Areas
Wooded Preserve
Park
Park
Pond
Pond
Pond
Pond
Pond
Pond
30' Commercial Buffer
Tree Preservation (No Mounding to be Installed)
30' Ranek Buffer
50' Villas & Gardens Buffer
30' Heitman Buffer
50' Heitman Buffer
40' Commerce Parke Buffer
Meridian
US-31
New Frontage Road
Aurora Parkway
Grassy Branch Road
North
SCALE: N.T.S.

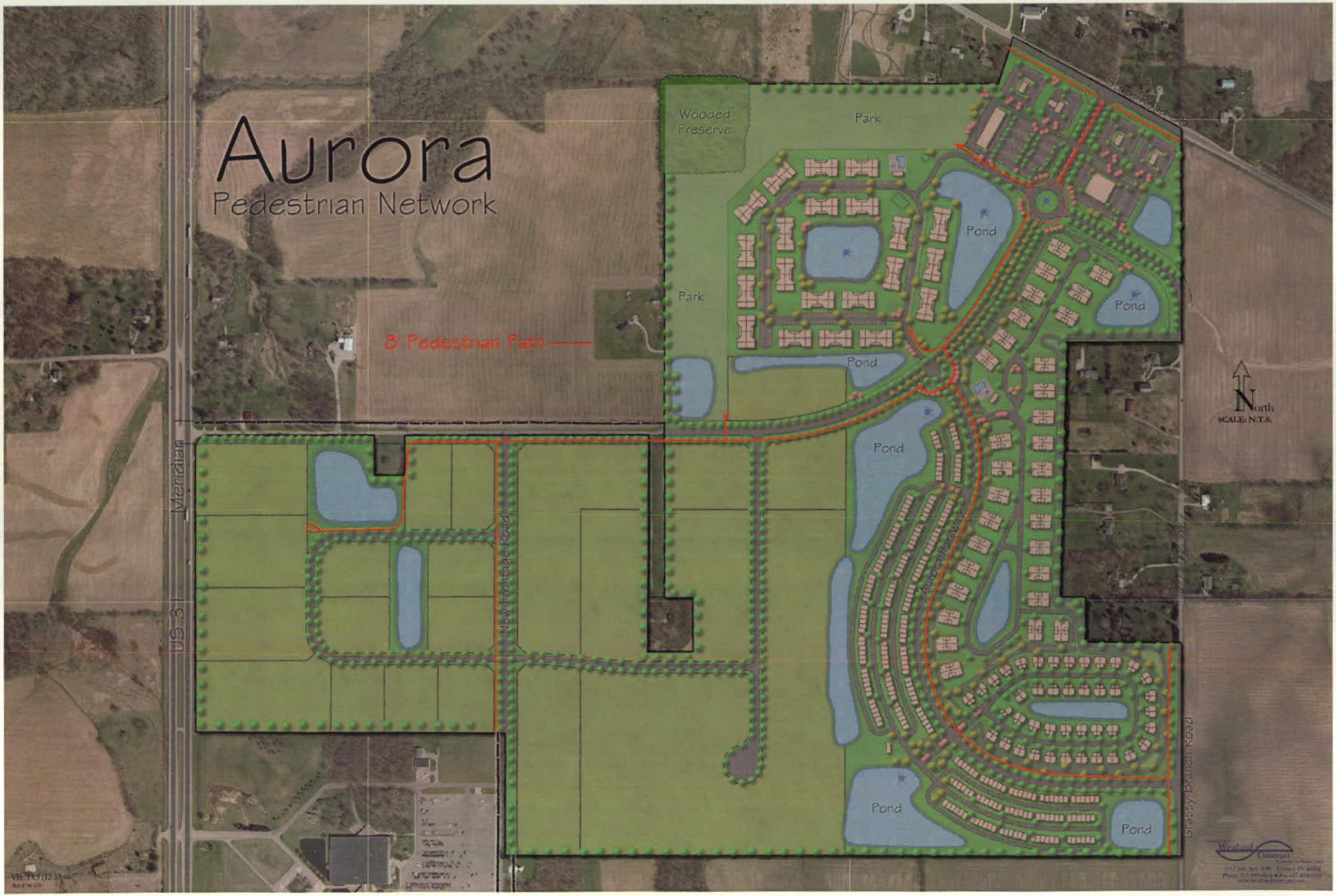

Aurora
Pedestrian Network
Wooded Preserve
Park
Park
Pond
Pond
Pond
Pond
Pond
Pond
Pond
8' Pedestrian Path
US-31
Meridian
New Frontage Road
Aurora Parkway
Grassy Branch Road
North
SCALE: N.T.S.

Exhibit G

Four Family Attached
Illustrative Elevations

Exhibit G

Four Family Attached
Illustrative Elevations

Exhibit G

Four Family Attached
Illustrative Elevations

Exhibit G

Four Family Attached
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