2016023036 ORDINANCE $19.00
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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NUMBER 16-05

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE AND THE SPRING MILL STATION NORTHEAST QUADRANT PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE

This is an Ordinance (this "Ordinance") to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended;

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

WHEREAS, the Council enacted Ordinance No. 14-39, the Spring Mill Station Northeast Quadrant Planned Unit Development District (the "Spring Mill Station Northeast Quadrant PUD Ordinance"), on September 8, 2014, as amended by Ordinance No. 15-24;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1603-PUD-03**), requesting an amendment to the Spring Mill Station Northeast Quadrant PUD Ordinance with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1603-PUD-03** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a favorable recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on March 22, 2016;

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

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Spring Mill Station Northeast Quadrant PUD Ordinance and the Unified Development Ordinance and are hereby amended as follows:

Section 1. Applicability of Ordinance.

1.1 This Ordinance shall amend the Spring Mill Station Northeast Quadrant PUD Ordinance, as applicable to the Real Estate. Development of the Real Estate shall be governed by (i) the Spring Mill Station Northeast Quadrant PUD Ordinance, as amended by this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by the Spring Mill Station Northeast Quadrant PUD Ordinance, as amended.

1.2 All other provisions of the Spring Mill Station Northeast Quadrant PUD Ordinance shall remain in effect with the adoption of this Ordinance.

1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of the Spring Mill Station Northeast Quadrant PUD Ordinance, as amended.

Section 2. Sign Standards. The standards of *Section 10: Sign Standards* of the Spring Mill Station Northeast Quadrant PUD Ordinance shall apply to the development of the District, except as otherwise modified below.

2.1 One Monument Sign with fuel pricing on the fuel center site shall be allowed. The maximum size of the monument sign shall be 125 square feet with a maximum of 65 square feet of sign area allowed on each side of the Monument Sign. The sign shall be constructed in substantial compliance with **Exhibit 2** at the location shown in **Exhibit 3.**

2.2 The price sign located on the rear of the fuel canopy, shown in **Exhibit 4**, shall be removed at the time the Monument Sign is installed.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD, HAMILTON COUNTY, INDIANA THIS 11 DAY OF April, 2016.

Voting For	**Voting Against**	**Abstain**
Jim Ake	Jim Ake	Jim Ake
James J. Edwards	James J. Edwards	James J. Edwards
Steven Hoover	Steven Hoover	Steven Hoover
Robert L. Horkay	Robert L. Horkay	Robert L. Horkay
Mark F. Keen	Mark F. Keen	Mark F. Keen
Charles Lehman	Charles Lehman	Charles Lehman
Cindy L. Spoljaric	Cindy L. Spoljaric	Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 16-05** was delivered to the Mayor of Westfield

on the 12 day of April, 2016, at 10:01 A.m.

Cindy Gossard

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-05**

this 12 day of April, 2016.

J. Andrew Cook

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-05**

this _____ day of _____, 2016.

_____

J. Andrew Cook, Mayor

"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"

C. Gossard

Signed

Prepared by Paula J. Gartner, PE