

## ARTICLE 1. DEFINITIONS.

1. “Accessory Building” shall mean and refer to a subordinate building, the use of which is incidental to and customary in connection with the principal building or use and which is located on the same lot with such principal building or use and is under the same ownership. Accessory buildings must be subordinate in height, width, length, and bulk to the principal building. Buildings which are portable and do not have permanent foundations are also classified as Accessory Buildings but are not subject to improvement location permits.
2. “Advisory Plan Commission” shall mean and refer to the Westfield-Washington Township Advisory Plan Commission.
3. “Aggregate Lot Area” shall mean and refer to the sum of all land acreage within a given development (i.e. planned developments, planned business districts, local retail districts) including outlots.
4. “Agriculture” shall mean and refer to the art or science of cultivating the ground, and raising and harvesting crops, also often including feeding, breeding and management of livestock; tillage, husbandry, farming; in a broader sense, the science and art of the production of plants and animals useful to man. In this broad use it includes farming, horticulture, forestry, dairy farming, etc.
5. “Alley” shall mean and refer to any private drive, with the exception of private streets, open for the purpose of affording a secondary means of vehicular access to abutting property which otherwise abuts upon a street and which is not intended for traffic other than public services and circulation to and from said property.
6. “Alternative Transportation Plan” shall mean and refer to a plan which illustrates bicycle paths, walking paths, and sidewalks throughout and around a geographic area. Westfield’s Alternative Transportation Plan is part of the Hamilton county Thoroughfare Plan which has been adopted by reference by the Town of Westfield.
7. “Apartment” shall mean and refer to a building or portion thereof designed for or occupied by more than two families. Also a multi-family dwelling.
8. “Art Studio” shall mean and refer to the conducting of one or more of the following activities: painting, sculpturing, jewelry making, weaving or other similar function defined as a fine art
9. “Assisted Living Facility” shall mean and refer to a facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contain four or more dwelling units and/or rooming units; provide a combination of housing, support services, personalized assistance, and healthcare; and respond to the individual needs of persons who need assistance with the activities of daily living, but do not require 24-hour skilled medical care.

10. “Banner” shall mean and refer to any hanging sign possessing characters, letters, illustrations or ornamentations which are designed or intended to convey any identification, message or information other than an address number and which are applied to paper, plastic or fabric of any kind. This classification shall not include plastic or fabric signs which are permanently attached within a rigid frame which are intended to be used as a permanent sign. National flags, flags or political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this chapter.
11. “Beauty Shop” shall mean and refer to the providing of beauty culture services to members of the general public as the result of being properly licensed and inspected.
12. “Block” shall mean and refer to a unit or property bounded by streets, or by streets and/’ or railroad right-of-way, waterways, or other barriers.
13. “Buffer Yard” shall mean and refer to a unit of yard together with the planting thereon.
14. “Building” shall mean and refer to a structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels, or other property. When separated by party walls, without opening through such walls, each portion of such building shall be considered a separate structure.
15. “Building Area” shall mean and refer to the maximum horizontal projected area of the principal and accessory building, excluding open steps or terraces, porches without roofs not exceeding one story in height, or architectural appurtenances projecting not more than two feet.
16. “Building Commissioner” shall mean and refer to the official designated by the Westfield Town Council, authorized to enforce the Westfield -Washington Township Comprehensive Zoning Ordinance and the Westfield -Washington Township Building Code.
17. “Building, Detached” shall mean and refer to a building having no structural connection with another building.
18. “Building, Front Line of” shall mean and refer to the line of the face of the building nearest the front lot line.
19. “Building Height” shall mean the vertical distance from the grade level at the main entrance to the top of the parapet that comprises the majority of the perimeter of the building 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.
20. “Building Line (Building Setback Line)” shall mean and refer to the line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of a building or structure and the front lot line as defined by the legal description.
21. “Building, Principal” shall mean and refer to a building in which is conducted the main or

principal use of the lot on which said building is situated. Where a substantial part of an accessory building is attached to the principal building in a substantial manner, as by a roof, such accessory building shall be counted as a part of the principal building.

22. “Business” shall mean and refer to the engaging in the purchase, sale, barter or exchange of goods, wares, merchandise or services, the maintenance or operation of offices, or recreational and amusement enterprises for profit.
23. “BZA” shall mean and refer to the Westfield-Washington Township Board of Zoning Appeals.
24. “Caliper” shall mean and refer to a standard trunk diameter measurement for trees. Caliper measurements are taken twelve inches above the finished grade.
25. “Church” shall mean and refer to a building and property used for public worship. A Church may include a daycare and meeting space facilities open to the general public at the election of the owner.
26. “Community Garden” shall mean and refer to a designated area within a subdivision common area set aside for use by residents for the growing of plants including fruits, vegetables and flowers. These areas may be segmented off for use by individual owners of lots within the subdivision.
27. “Concession / Mobility Rental Stand” shall mean and refer to a business use engaged in the sale of refreshments and rental of equipment such as bicycles to serve the needs of pedestrians visiting a sports complex or the Little Eagle Creek Trail.
28. “Construction Phasing Schedule” shall mean and refer to the Construction Phasing Schedule attached hereto and incorporated herein by reference as Exhibit E.
29. “Corner Lot” A Lot having frontage on two (2) public or private streets.
30. “Corner Break” shall mean and refer to the exterior corner along the facade of a home. The “exterior” corners of a covered porch, the outermost corners of the residence, and a projection with a height of no less than six feet shall count as a corner break.
31. “Cut-off fixtures, eighty-five degree. Eighty-five (85)” shall mean and refer to the degree cutoff fixtures means those fixtures that do not allow light to escape above an eight-five (85) degree angle measured from a vertical line from the center of the lamp extended to the ground.
32. “Cut-off fixtures, full” shall mean and refer to the full cut-off fixtures means those fixtures that are designed or shielded in such a manner that all light emitted by a fixture is projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

33. “Declaration” shall mean and refer to any Declaration of Covenants, Conditions, or Restrictions prepared by the Developer with respect to all or any portion of the Real Estate, and recorded with the Recorder of Hamilton County, Indiana.
34. “Department” shall mean and refer to Westfield Community Development Department or its successors.
35. “Developer” shall mean and refer to Wilfong Land Companies, and its successors, assigns, and designees.
36. “Development Amenities” shall mean and refer to neighborhood features that provide comfort, convenience, pleasure, and increased quality of life within developments. Development amenities may include, but are not limited to clubhouses, gyms, swimming pools, tennis courts, basketball courts, ball-fields (soccer, football, etc.), walking/jogging/biking trails, picnic/barbecue group areas, playgrounds, volleyball courts, and racquetball courts.
37. “Director” shall mean and refer to the Director of the Westfield Community Development Department.
38. “District” shall mean and refer to any of the 9 Districts within the Eagletown PUD.
39. “Driveway” shall mean and refer to a private road which provides access to a lot, or to a use located on such lot, from a public way.
40. “Dwelling” shall mean and refer to a building or portion thereof on a permanent foundation, used primarily as a place of abode for one or more human beings, but not any facility normally providing housing for a period of under 30 days.
41. “Dwelling, Duplex” shall mean and refer to a building designed for or occupied by two family units, living independently of each other in individual dwelling units.
42. “Dwelling, Single Family Detached” shall mean and refer to a dwelling unit which does not share a common wall with any other dwelling and is surrounded on all sides by open space located on the same lot.
43. “Dwelling, Multi-family” shall mean and refer to a building designed for or occupied by three or more family units, living independently of each other in individual dwelling units. Multi-family dwellings include apartments, townhomes, group homes, dormitories, etc.
44. “Dwelling, Quadraplex” shall mean and refer to a building designed for or occupied by four family units, living independently of each other in individual dwelling units.
45. “Dwelling, Single-family” shall mean and refer to a building designed for or occupied by one family unit.

46. “Dwelling, Single Family Attached” shall mean and refer to two through seven unit attached dwellings including but not limited to Quadplex Dwellings, Triplex Dwellings, Duplex Dwellings, and Townhouse Dwellings.
47. “Dwelling, Triplex” shall mean and refer to a building designed for or occupied by three family units, living independently of each other in individual dwelling units.
48. “Dwelling, Townhouse” shall mean and refer to a one-family dwelling unit with a private entrance, which is part of a larger structure whose dwelling units are attached in a linear arrangement. Townhomes possess totally exposed front and rear walls, used for access, light, and ventilation.
49. “Dwelling Unit” shall mean and refer to any room or group of rooms located within a dwelling, which forms a single habitable unit for occupancy by one (1) family unit. Dwelling units include facilities that are used, or intended for use as living, sleeping, cooking, and eating accommodations.
50. “Easement” shall mean and refer to land which has been designated by lawful agreement between the owner or owners of land and a person or persons for a specified use only by such person or persons.
51. “Educational Institution” shall mean and refer to public or parochial preprimary, primary, grade, junior high, high, preparatory school or academy; junior college, college or university, if public or founded or conducted by or under the sponsorship of a religious or charitable organization.
52. “Elevation” shall mean and refer to the front architectural façade of a dwelling.
53. “Evergreen” shall mean and refer to coniferous or broad-leaved plants whose leaves remain throughout the year and are continually dropping and being replaced by new springtime growth.
54. “Family” shall mean and refer to one or more persons occupying a building and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, nurses home, fraternity or sorority house.
55. “Fiber Cement Siding” shall mean and refer to a substance that is not a Masonry product, but is a mix of Portland cement, ground sand, cellulose fiber, and various additives mixed with water and manufactured into a siding material.
56. “Fishing Pond” shall mean and refer to a storm water management pond that is stocked with fish for the purpose of providing recreational fishing opportunities for the residents of a District(s).
57. “Floor Area, Gross Ground” shall mean and refer to the square foot area of a residential building within its largest outside dimensions computed on a horizontal plane at the ground

- floor level exclusive of open porches, breezeways, terraces, garages and exterior stairways.
58. “Foot-candle” shall mean and refer to a unit of illumination produced on a surface, all points which are one foot from a uniform point source of one candle.
  59. “Franchise Architecture” shall mean and refer to building design that is trademarked or identified with a particular chain or corporation and is generic in nature.
  60. “Frontage” shall mean and refer to all the property on one side of a street between two intersecting streets measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.
  61. “Front Facing Garage Doors” A garage door that is parallel to the front elevation of the home.
  62. “Garden Office District” shall mean and refer to what is identified on the Zoning District Map as the Garden Office District.
  63. “Grade” shall mean and refer to the average level of the finished surface of ground adjacent to the exterior walls of the building.
  64. “Herein” shall mean and refer to the entirety of, and anywhere within, this Eagletown PUD, and shall not be restricted to a particular paragraph or section in which the word “herein” appears.
  65. “Home Occupations Permitted” shall mean and refer to a gainful occupation or profession conducted by a member of a family residing on the premises and where the business or profession is conducted within the building and is listed as a permitted home occupation in the district involved.
  66. “Hospice” shall mean and refer to a facility that provides inpatient support care and attends to the emotional, spiritual, social, and financial needs of terminally ill patients and their families.
  67. “Hotel” shall mean and refer to a building in which lodging is provided and offered to the public for compensation and which is open to transient guests in contradistinction to a boarding or lodging house.
  68. “Illustrative Site Development Plan” shall mean and refer to the Illustrative Site Development Plan attached hereto and incorporated herein by reference as Exhibit C.
  69. “In-line Tenant” shall mean and refer to any tenant within a multi-tenant building where each individual tenant has an exterior store front and patron entrance.
  70. “Landscaping” shall mean and refer to the improvement of a lot, parcel, or tract of land with

a combination of living plants such as grasses, shrubs, trees, and/or other plant materials and nonliving materials such as rocks, mulch, walls, fences, and/or ornamental objects designed and arranged to produce an aesthetically pleasing effect.

71. “Landscaping Plan” shall mean and refer to a plan which illustrates all details, cross-sections, rights-of-way, easements, property lines, plant materials and sizes, and slope information of all proposed mounds. (see Article 14 –Landscaping Standards)
72. “Lighting Plan” shall mean and refer to a plan depicting proposed design and materials of light fixtures, location of lighting, and directional focus of lights. (see Article 15 –Lighting Standards)
73. “Linear Footage, Wall” shall mean and refer to the horizontal length of a building wall. Linear footage shall be measured as the horizontal distance between building corners, regardless if the building wall is convex, concave, or has projecting or inset portions.
74. “Loading and Unloading Berths” shall mean and refer to the off-street area required for the receipt or distribution by vehicles of materials or merchandise, which in this Ordinance is held to be a 12 by 45 foot loading space with a 14 foot height clearance.
75. “Local Road or Street” shall mean and refer to local roads or streets accepting traffic from collector streets and distribute the traffic through subdivisions, neighborhoods and business areas to individual homes, apartments, business sites, and industrial sites. (50 feet right-of-way)
76. “Lot” shall mean and refer to a land area with a properly recorded legal description, accessible by means of a street.
77. “Lot, Corner” shall mean and refer to a lot at the junction of and abutting two or more intersecting streets.
78. “Lot, Depth of” shall mean and refer to the mean horizontal distance between the front lot line and the rear lot line of a lot, measured in the general direction of the side lot line.
79. “Lot, Interior” shall mean and refer to a lot other than a corner lot or through lot.
80. “Lot Line, Front” shall mean and refer to, in the case of an interior lot, a line separating a lot from the street; and in the case of a corner lot, a line separating the narrowest frontage of a lot from the street, except in the case where deed restrictions specify another right-of-way line as the front lot line.
81. “Lot Line, Rear” shall mean and refer to a lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangle-shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line.
82. “Lot Line, Side” shall mean and refer to any lot boundary line not a front lot line or a rear lot

line.2

83. “Lot of Record” shall mean and refer to a lot which is part of a subdivision, the map of which has been recorded in the office of the Hamilton County Recorder, or a parcel of land, the deed to which has been recorded in the office of the Hamilton County Recorder prior to the date of passage of this Ordinance.
84. “Lot, Width” shall mean and refer to the dimension of a lot, measured between side lot lines on the building line.
85. “Masonry” Brick, limestone, natural stone, cultural stone, stucco and EIFS or other similar building material or a combination of the same, bonded together with mortar to form a wall, buttress or similar mass.
86. “Market Center District” shall mean and refer to what is identified on the Zoning District Map as the Market Center District.
87. “Multi-family” District” shall mean and refer to what is identified on the Zoning District Map as the Multi-family District.
88. “Natural Materials” Brick, wood, limestone, fiber cement siding, or natural stone.
89. “Nursing Home” shall mean and refer to a facility licensed by the State Board of Health, which (1) provides nursing services on a continuing basis; (2) admits the majority of the occupants upon the advice of physicians as ill or infirm persons requiring nursing services; (3) provides for licensed physicians services or supervision; (4) maintains medical records. Such facility may also provide other and similar medical or health service provided that no occupant requires physical restraint within the facility. Examples of nursing home facilities that provide health services may include, if they comply with all the above criteria, nursing homes, convalescent homes, maternity homes, rest homes, homes for the aged, and the like.
90. “Open/Green Space” shall mean and refer to any part of the Eagletown PUD not covered by public or private streets, alleys, private residential lots, non-residential buildings and parking areas. Open space includes but shall not be limited to areas of residential, commercial or institutional developments and/or uses such as: parks, playgrounds, wetlands, trails, water retention/detention areas, floodplains, screening buffers, yards, parking lot planting areas and other landscaped areas.
91. “Open Space, Trails and Amenity Plan” shall mean and refer to the Open Space, Trails and Amenity Plan attached hereto and incorporated herein by references Exhibit D.
92. “Outside Sales Display, Permanent” shall mean and refer to merchandise placed outside of a commercial structure for purpose of sales.
93. “Outside Sales Display, Temporary” shall mean and refer to merchandise placed outside of commercial structures only during business hours for the purpose of temporary sales or



special sales events.

94. “Outlot” shall mean and refer to a lot of record in a subdivision, nonresidential center or planned unit development which is adjacent to a (public or private) street, roadway or frontage road and is intended for an additional and separate building or buildings within a development.
95. “Overhang” The portion of the roof structure that extends beyond the exterior walls of a home offering it protection from the elements.
96. “Owner” shall mean and refer to any owner of any part of the Real Estate.
97. “Parcel” shall mean and refer to a land area with properly recorded legal description.
98. “Parcel Coverage” shall mean and refer to the total ground area, within any particular parcel, covered by the primary structures plus garages and carports and other accessory structures, which are greater than thirty-six inches above grade level, excluding fences and walls not attached in any way to the roof.
99. “Park” shall mean and refer to a public space and supporting facilities designed and used for a variety of recreational activities, a greater part of which take place outside of any structure.
100. “Parking Lot Planting Areas” shall mean and refer to areas within and adjacent to parking areas where trees, shrubs, and groundcovers are required to be planted in order to shade and improve the aesthetic qualities of parking facilities and to avoid the creation of large, unbroken expanses of pavement.
101. “Parking Space” shall mean and refer to an area designed or used for parking a motor vehicle which complies with Article 9 of this Eagletown PUD.
102. “Plan Commission” shall mean and refer to the Westfield-Washington Township Advisory Plan Commission.
103. “Plat” shall mean and refer to a map or chart indicating the subdivision of land, intended to be filed for record
104. “Private School” shall mean and refer to a private, preschool, primary, grade, high or preparatory school or academy.
105. “Public gathering area” shall mean and refer to a space within a subdivision common area occupied by a structure and surrounding hardscape/landscape design including seating for a minimum of 10 persons.
106. “Public Utility Installations” shall mean and refer to the erection, construction, alteration, or maintenance by public utilities, municipal departments, commissions, or common carriers of underground, surface or overhead gas, oil, electrical, steam, pipes, conduits, cables, fire

alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith, reasonable necessary for the furnishing of adequate service by public utility or municipal departments, commissions, or common carriers, for the public health or safety or general welfare.

107. “Real Estate” shall mean and refer to the real estate described in what is attached hereto and incorporated herein by references as Exhibit A-2.
108. “Residential District 1” shall mean and refer to what is identified on the Zoning District Map as the Residential District 1.
109. “Residential District 2” shall mean and refer to what is identified on the Zoning District Map as the Residential District 2.
110. “Residential District 3” shall mean and refer to what is identified on the Zoning District Map as the Residential District 3.
111. “Residential District 4” shall mean and refer to what is identified on the Zoning District Map as the Residential District 4.
112. “Ridge line” The intersection of two horizontal roof planes, or the angle formed by them, which form the peak of a pitched area. A hip roof shall be the equivalent of only one ridge line.
113. “Right-Of-Way” shall mean and refer to a legally established property designated for transportation uses.
114. “Shield” shall mean and refer to any attachment, which interrupts and blocks the path of light emitted from a luminaire or fixture.
115. “Shrub” shall mean and refer to a woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground.
116. “Sign” shall mean and refer to any display or device placed on a property in any fashion which is designed, intended, or used to convey any identification, message or information other than an address number.
117. “Sign area” shall mean and refer to the entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction, or symbolism of the sign.
118. “Sign awning” shall mean and refer to any advertising or display located on any non-rigid material that extends from the exterior wall of a building and is supported by or attached to a frame.

119. “Sign, center” shall mean and refer to a means of advertising used to identify a nonresidential center, which may include individual tenant advertising.
120. “Sign, projecting” shall mean and refer to any sign attached to a building or wall and extending laterally more than eighteen (18) inches from the face of a wall.
121. “Sign, residential complex or subdivision” shall mean and refer to residential complex or subdivision sign means a sign containing the name of a residential complex or subdivision, with or without its accompanying address.
122. “Sign, Under Canopy” shall mean and refer to small signs placed under a canopy or roof overhang to direct patron traffic to the store entrance.
123. “Sign, wall” shall mean and refer to a sign attached to and/or integral with an exterior wall or window surface of a building, the face of which is parallel to the surface.
124. “Single-Family Attached District” shall mean and refer to what is identified on the Zoning District Map as the Single Family Attached District.
125. “Street” shall mean and refer to a right-of-way designated for use by motor vehicles.
126. “Thoroughfare Plan” shall mean and refer to the Hamilton County Thoroughfare Plan adopted by reference by the Town of Westfield which sets forth the location, classification, and other information pertaining to existing and proposed streets in Washington Township. This Plan illustrates the legally established goals and objectives of the Town of Westfield as they pertain to public rights-of-way.
127. “Town Council” shall mean and refer to the Westfield Town Council.
128. “Tree” shall mean and refer to a large, woody plant having one or several self-supporting stems or trunks and numerous branches.
129. “Tree, Shade” shall mean and refer to a large tree growing to over forty (40) feet in height at maturity, usually deciduous and planted to provide canopy cover shade (see *Deciduous*).
130. “Tree, Street” shall mean and refer to a tree planted along the street right-of-way.
131. “Underlying Zoning Compendium” shall mean and refer to the Underline Zoning Compendium which is part of this Eagletown PUD but which was filed with the Westfield Community Development Department as a separate Underlying Zoning Compendium.
132. “Village Marketplace District” shall mean and refer to what is identified on the Zoning District Map as the Village Marketplace District.
133. “Westfield Community Development Department” shall mean and refer to the Westfield Community Development Department or its successors.

134. “Wireless Communication Service Facilities” shall mean and refer to antennas or antenna support structures for private or commercial mobile radio communications, broadcast radio or television; and associated equipment buildings, broadcasting studios, or radio or television business offices.
135. “WPWD” shall mean and refer to the Westfield Public Works Department or its successors.
136. “Yard” shall mean and refer to a space on the same lot with a principal building, open, unoccupied and unobstructed by structures, except as otherwise provided by this ordinance.
137. “Yard, Front” shall mean and refer to a yard extending across the full width of the lot unoccupied other than by steps, walks, terraces, driveways, lamp posts and similar structures, the depth of which is the least distance between the front lot line and the building line
138. “Yard, Rear” shall mean and refer to a yard extending across the full width of the lot between the rear of the principal building and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of such principal building.
139. “Yard, Side” shall mean and refer to a yard between the principal building and the side lot line, extending from the front yard or from the front lot line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally at 90 with the side lot line, from the nearest part of the principal building, except in cases where irregular or pie shaped lots are located, then the width of the required side yard shall be an average of the width of the area between the side lot line and the principal building measured horizontally at 90 with the side lot line.
140. “Zoning District Map” shall mean and refer to the Zoning District Map attached hereto and incorporated herein by reference as Exhibit B.
141. “Zone Map” shall mean and refer to the official zone map corresponding to the Zoning Ordinance.
142. “Zoning Ordinance” shall mean and refer to the Zoning Ordinance of Westfield-Washington Township.
143. “40’ alley load lots” shall mean and refer to a lot type accessed via an alley.
144. “50’ alley load lots” shall mean and refer to a lot type accessed via an alley.
145. “60’ alley load lots” shall mean and refer to a lot type accessed via an alley.
146. “60’ front load lots” shall mean and refer to a lot type accessed via a street.

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**ARTICLE 4. MULTI-FAMILY DISTRICT.** This district is established for high density multi-family housing units. The purpose of the Multifamily District is to provide high quality rental housing alternatives that may be developed in a design generally consistent with Exhibit “C” of the Eagletown PUD.

The Multi-family District is reclassified on the Zone Map from the AGSF-1 Residence District classification to the Planned Unit Development District classification, the underlying zoning of which shall be the MF -2 (Multi-family 2 District) in the Zoning Ordinance as specified in the Underlying Zoning Compendium. Said underlying zoning classification, specified in the Underlying Zoning Compendium, as modified below by the deletion, addition, or modification of the provisions and text thereof, shall govern the use and development of the Multi-family District.

**Section 4.1. Permitted Uses.** The following are permitted uses within the Multi-family District:

- A. Single Family Detached Dwellings
- B. Single Family Attached Dwellings
- C. Condominiums
- D. Townhomes
- E. Duplexes, triplexes, and quadplexes
- F. Multi-Family Dwellings
- G. Accessory buildings related to uses listed below
- H. Day care centers
- I. Temporary buildings for construction purposes for a period of time not to exceed time of construction
- J. Utilities, both regulated and unregulated (excludes offices and/or storage facilities).
- K. Model homes, sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
- L. 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.

- M. 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.

**Section 4.2. Permitted Home Occupations:** The standards on Section 3.1.D shall apply.

**Section 4.3. Development Standards:**

- A. Maximum Dwelling Density - fourteen (14) dwelling units per acre
- B. Maximum Number of Dwelling Units Per Structure – thirty-six (36) units
- C. Maximum Number of Dwelling Units within the Multi-family District - seven hundred (700) units
- D. Minimum Square Footage Per Dwelling Unit (excluding porches, terraces, carports, and garages) - six hundred fifty (650) square feet
- E. Minimum Tract Requirement – A minimum of 15 acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.
- F. Minimum Lot Area – None
- G. Minimum Road Frontage – three hundred thirty (330) feet
- H. Minimum Setback Requirements (applied to perimeter of the Multifamily District) -
  - 1. Front Yard: thirty (30) feet along Eagle Parkway (Ditch Road extension), twenty (20) feet along all other streets.
  - 2. Side Yard: twenty (20) feet
  - 3. Rear Yard: twenty (20) feet
- I. A minimum setback of 10’ shall be required between buildings and internal driveways/parking areas.
- J. Maximum building height: forty-five (45) feet
- K. Proximity Slope: – The proximity slope shall not apply to the development of the Real Estate.
- L. Minimum Distance Between Structures: twenty (20) feet



M. Development Amenities – The MF District shall be provided with development amenities in accordance with the following requirements:

1. At least twenty (20) percent of the gross land area within the Multifamily District shall be designated as open space. The ownership of green space, how it will be protected from future development and responsibility for future maintenance must be documented and recorded with the plat.
2. The MF District shall be provided with the number of amenities within its open space as required by this section.

N. Required amenities may include, but are not limited to, clubhouses, gymnasiums, swimming pools, tennis courts, basketball courts, ball-fields (soccer, baseball, etc.), walking/jogging/biking trails, volleyball courts, and racquetball courts. Picnic/barbecue areas and playgrounds are permitted as amenities in accordance with the following standards:

1. One picnic/barbecue area, that shall include at least one barbecue grill and one picnic table, per 50 dwelling units
2. One large playground at least 5,000 square feet in area per 250 units. The amount of square feet required is the total play area including safe fall zones. Play equipment should include a variety of elements within a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:
  - a. Six (6) swings
  - b. Three (3) detached/freestanding play elements
  - c. Three (3) sliding elements
  - d. Six (6) climbing elements
  - e. One (1) overhead element
  - f. Panels featuring play elements
  - g. Decks, bridges, tunnels as required to attach various play elements to each other.

All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

3. One small playground at least 2,000 square feet in area per 150 dwelling units. The amount of square feet required is the total play area including safe fall zones. Play equipment should include a variety of elements with a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:
  - a. Three (3) detached/freestanding play elements
  - b. Three (3) sliding elements
  - c. Three (3) climbing elements
  - d. One (1) overhead element
  - e. Panels featuring play elements
  - f. Decks, bridges, tunnels as required to attach various play elements to each other.

All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

- O. Each type of amenity shall counts as one amenity, regardless of the quantity of the amenity that is provided (i.e., if two basketball courts are provided, they count as only one amenity).

| Number of Units in Development | Minimum Number of Amenities Provided |
|--------------------------------|--------------------------------------|
| 1-150                          | 2                                    |
| 151-300                        | 4                                    |
| 301-450                        | 5                                    |
| 451+                           | 6                                    |

- P. **Parking:** In addition to the requirements in Article 9, the following provisions shall apply:
  1. Parking lots and spaces exposed to public streets or adjacent to one and two-family neighborhoods shall be screened by walls or other solid hedge row in addition to landscaping required in this Eagletown PUD.
  2. Solid screens or landscape materials shall be installed when parking spaces are located within ten (10) feet of residential units and to prevent headlights from shining directly into windows.

- Q. Building Materials: Masonry shall be the exterior building material on thirty percent (30%) of the facade of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof, and masonry or natural materials shall be the exterior building material on the remaining exterior façade areas of the building, excluding openings, such as doors and windows, roofs, and any façade area within a dormer projecting from a roof.
- R. Transportation Accessibility:
1. Street infrastructure within the Multi-Family District may be developed as public streets or private streets. Such infrastructure shall be perpetually accessible to residents and emergency vehicles. Access easements shall be required.
  2. Streets or Private Drives within the Multi-Family District shall align and connect with existing streets outside such developments and provide for connections with future adjacent developments.
  3. At least two street accesses shall be provided to the Multi-Family District and adequate accessibility for emergency vehicles and school buses shall be ensured.
  4. The Multi-Family District shall possess primary accesses off of primary arterials or secondary arterials.
  5. Developers of the Multi-Family District may be required to construct turn lanes or acceleration/deceleration lanes on adjacent streets to maintain traffic service levels.
  6. If shared access roads are constructed to serve multiple developments or multiple owners, appropriate dedication or easement documents must be submitted to ensure perpetual access to emergency vehicles and affected residents.
  7. Multi-Family projects shall be provided with internal sidewalks or pathways along all internal streets as well as sidewalks or pathways along perimeter streets. All sidewalk or pathway systems shall be designed so as to connect to an existing or proposed sidewalk or pathway network.
- S. Signs: See Article 16.
- T. Landscaping: See Article 14.
- U. Lighting: See Article 15.

**Section 4.4. Development Plan Procedures.** Development plans in the Multi-Family District

shall meet the following requirements, in addition to the other requirements set forth in this ordinance.

- A. The building or buildings shall be so designated or located so that the distance from any window of any room proposed to be used for human habitation shall be not less than 20 feet from the wall of any structure on the property, such distance to be measured by a line perpendicular to the plane of the surface of said window, except that this distance may be reduced to not less than 30 feet for an exposure where a room is a bathroom or laundry utility room or is used as a community or group meeting room or for a similar purpose.
- B. In the event that more than one building is proposed, they shall be designed to be located so that no more than two buildings are in a straight, unbroken line. Straight/unbroken, front facades shall be limited to 100 feet in length.
- C. Off-street parking space, adequate space for service facilities, shall be provided in the side yards or rear yard and shall in no event be located in the required front yard, provided, that no off-street parking area or service facility area shall be located closer than 4 feet to any side lot line.
- D. The location of all driveways, parking areas, service facility areas, and streets shall be shown on the development plan. Also, the location, type and size of proposed public water, sewage and drainage facilities shall either be shown on the plan or on accompanying drawings.

**Section 4.5. Accessory Buildings.**

- A. General Standards:
  - 1. Accessory buildings shall be constructed on the same parcel as the principal building to which they are accessory.
  - 2. No accessory building shall be constructed upon a parcel until the construction of the principal building has been commenced.
  - 3. The standards of this Eagletown PUD shall not prevent the use of a temporary construction building to be utilized for the storage of tools, materials, and other equipment during the period of construction.
  - 4. Accessory buildings shall be constructed in a manner that does not substantially alter the character of the vicinity in which such buildings are to be located.
  - 5. Accessory buildings must be subordinate in height, width, length and bulk to the principal building.

B. Building Location:

1. Front Setback:

- a) Front Yard: No accessory buildings may be erected closer than the front building line of the principal building.
- b) Side and Rear Setback – Accessory buildings must meet the minimum side and rear yard setbacks of the Multi-Family District
- c) The clubhouse building shall be located a minimum of two hundred (200) feet from the front property line.

C. Building Height: Accessory buildings shall not exceed forty-five (45) feet in height.

**Section 4.6. Fences.** Fences located within any required front yard shall not exceed 42 inches in height, as measured from the topmost point thereof to the ground adjacent to the fence.

- A. Fences located within any required side or rear yard of a residence must occur behind the front façade line of the building and shall not exceed six feet in height, as measured from the topmost point thereof to the ground adjacent to the fence.
- B. Open wire mesh fences surrounding tennis courts may be erected to a height of 16 feet, if such fences shall only enclose a regulation court area and standard apron areas.
- C. No sign, fence, wall, shrub or other obstruction to vision exceeding three feet in height above the established street grade shall be erected, planted or maintained within the area of a corner lot that is included between the lines of the intersection streets and a straight line connecting them at points 30 feet distance from the intersection of the street lines. Agricultural fences shall not be subject to height limitations.

**Section 4.7. Swimming Pools.**

A. General Standards.

- 1. Swimming pools shall be constructed on the same parcel as the principal building to which they are accessory.
- 2. Swimming pools shall not be constructed forward of the principal building.
- 3. Swimming pools shall be required to meet the same front and side setback requirements as the principal structure to which they are accessory. The minimum rear yard shall be ten (10) feet.

4. Swimming pools shall be enclosed with a fence of not less than five feet in height.

**ARTICLE 5. BUSINESS DISTRICTS.** The terms, conditions, and provisions of this Article 5 shall apply to the use and development of the Market Center District, Village Marketplace District and Garden Office District.

**Section 5.1. General Requirements.** The following general requirements apply to all business districts within the Eagletown PUD.

- A. Groups of business uses requiring parking space may join in establishing group parking area with not less than 80% of the sum of the separate Requirements for each participating use.
- B. Public parking area and loading and unloading berths shall be paved with a hard surface.
- C. Loading and unloading berths shall not be required for business uses, which demonstrate that they do not receive or transmit goods or wares in quantity by truck delivery.
- D. Parking may be permitted in all required Building Setback Areas in business districts.
- E. The maximum building height requirements may be increased if buildings are set back, from front and rear property lines, one foot for each two feet of additional height above the maximum building height requirement.
- F. Chimneys, cooling towers, elevator bulkheads, fire towers, penthouses, stacks, tanks, water towers, distribution poles and lines, transmission towers, or essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.
- G. A suitable planting buffer shall be provided on any business yard that abuts a residential area in accordance with Article 14 – Landscaping Standards.
- H. There shall be no storage or display of merchandise outside of a building except in a permanent outside sales display area established for the purpose. Permanent outside sales display shall be permitted only in the Market Center District.
- I. Outside merchandise associated with sidewalk-type sales events of less than one (1) week in duration and with a frequency of no more than once every six (6) calendar months is permitted. Farmers markets and sidewalk cafes are exempt from time restrictions.
- J. Pedestrian walkways shall be provided between buildings and parking areas. Sidewalk connections shall also be made between buildings and adjacent sidewalks/paths within the right-of-way.

**Section 5.2. Market Center District** - This district is established to accommodate the general business needs of the township. The purpose of this district is to allow retail development of a nature that the area will be developed in a design generally consistent with Exhibit “C” of the Eagletown PUD.

The Market Center District is reclassified on the Zone Map from the AGSF-1 Residence District classification to the Planned Unit Development District classification, the underlying zoning of which shall be the Market Center (General Business District) in the Zoning Ordinance as specified in the Underlying Zoning Compendium. Said underlying zoning classification, specified in the Underlying Zoning Compendium, as modified below by the deletion, addition, or modification of the provisions and text thereof, shall govern the use and development of the Market Center District.

A. Special Requirements.

1. Architectural Standards (see Section 5.5)

B. Permitted Uses.

1. See Article 11 (Table of Permitted Uses) for list of permitted businesses.
2. Any other business not listed which can be classified as general business will be eligible with the approval by the Director.

C. Minimum Development Plan Requirement. A minimum of 30 acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.

D. Minimum Lot Area. None

E. Minimum Development Plan Frontage on Road. 660 Feet

F. Minimum Building Setback Lines (applied to perimeter of the Market Center District):

1. Front Yard: 80 feet along SR 32 (as measured from the right-of-way at the time of adopting the Eagle Station PUD). Forty (40) feet along Eagle Parkway (Ditch Road extension). Twenty (20) feet for all other streets
2. Side Yard: Twenty (20) feet (Zero (0) feet for interior lot lines)
3. Rear Yard: Twenty (20) feet.

G. Maximum Building Height. Not to exceed sixty (60) feet, except that the maximum height may not exceed 100 percent (100%) of the depth of the front yard. For purposes of this computation, where access to the lot is by a frontage



road which is between the lot and State Highway 32, the roadway width of such frontage road shall be added to the depth of the front yard.

- H. Minimum Building Height - All Uses. Fourteen (14) feet, to the highest point of the roof for a building with a flat roof; twelve (12) feet to the lowest eaves for a building with a gable, hip or gambrel roof.
- I. Minimum Gross Floor Area. Three-thousand (3,000) square feet
- J. Loading and Parking. See Article 9.
  - 1. Frontage Roads - All frontage road intersections within this corridor shall be placed a minimum of six hundred (600) feet from the right-of-way of State Highway 32.
- K. Signs. See Article 16.
- L. Landscaping. See Article 14.
- M. Lighting. See Article 15.

**Section 5.3. Village Marketplace District.** The purpose of this district is to allow commercial development of such a nature that the area will be developed in a design generally consistent with Exhibit “C” of the Eagletown PUD and that overall supporting services including roads and utilities can be provided in a proper manner to accommodate the needs of business in this district.

The Village Marketplace District is reclassified on the Zone Map from the AGSF-1 Residence District classification to the Planned Unit Development District classification, the underlying zoning of which shall be the SB (Special Business District) in the Zoning Ordinance as specified in the Underlying Zoning Compendium. Said underlying zoning classification, specified in the Underlying Zoning Compendium, as modified below by the deletion, addition, or modification of the provisions and text thereof, shall govern the use and development of the Village Marketplace District.

- A. Special Requirements.
  - 1. Architectural Standards (see Section 5.5)
  - 2. No outside storage is permitted.
- B. Permitted Uses.
  - 1. See Article 11 (Table of Permitted Uses) for list of permitted businesses.

2. Any other business not listed which can be classified as general business will be eligible with the approval by the Director.
  3. Multi-family dwelling units are only permitted on the second story and above.
  4. Assisted Living Facility.
- C. Minimum Tract Requirement. A minimum of 40 acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.
- D. Minimum Lot Area. None
- E. Minimum Development Plan Frontage on Road. Six hundred sixty (660) feet
- F. Minimum Setback Lines (applied to perimeter of the Village Marketplace District).
1. Front Yard: Seventy (70) feet along SR 32 (As measured from the existing right-of-way at the time of adoption of the Eagle Station PUD).
    - a. Forty (40) feet along Eagle Parkway (Ditch Road extension).
    - b. 20 feet for all other streets (0' for interior streets)
  2. Side Yard: Twenty (20) feet (zero (0) feet for interior lot lines)
  3. Rear Yard: Twenty (20) feet (zero (0) feet for interior lot lines)
- G. Maximum Building Height. Not to exceed sixty (60) feet, except that the maximum height may not exceed one-hundred percent (100%) of the depth of the front yard. For purposes of this computation, where access to the lot is by a frontage road which is between the lot and State Highway 32, the roadway width of such frontage road shall be added to the depth of the front yard.
- H. Minimum Building Height (All Uses). Fourteen (14) feet to the highest point of the roof for a building with a flat roof; twelve (12) feet to the lowest eaves for a building with a gable, hip or gambrel roof.
- I. Loading and Parking. See Article 9.
1. Frontage Roads: All frontage road intersections within this corridor shall be placed a minimum of six hundred (600) feet from the right-of-way of State Highway 32.

- J. Signs: See Article 16.
- K. Landscaping: See Article 14.
- L. Lighting: See Article 15.

**Section 5.4. Garden Office District.** This district is established to provide for general office development. The purpose of this district is to allow office development of such a nature that the area will be developed in a design consistent with Exhibit C of this Eagletown PUD and that overall supporting services, including roads and utilities, can be provided in a proper manner to accommodate the needs of business in this district.

The Garden Office District is reclassified on the Zone Map from the AGSF-1 Residence District classification to the Planned Unit Development District classification, the underlying zoning of which shall be the GO (General Office District) in the Zoning Ordinance as specified in the Underlying Zoning Compendium. Said underlying zoning classification, specified in the Underlying Zoning Compendium, as modified below by the deletion, addition, or modification of the provisions and text thereof, shall govern the use and development of the Garden Office District.

- A. Special Requirements.
  - 1. Architectural Standards (see Section 5.5)
  - 2. No outside storage or outside sales display.
  - 3. Garden Office uses shall be conducted within buildings so constructed that no noise, dust, or dirt shall be audible or visible beyond the confines of the building.
- B. Permitted Uses.
  - 1. See Article 11 (Table of Permitted Uses) for list of permitted businesses.
  - 2. Any other business not listed which can be classified as general office will be eligible with the approval by the Director.
- C. Minimum Tract Requirement. A minimum of five (5) acres is required for a Development Plan Application. Development Plan Amendments do not need to meet the minimum tract requirements of this section.
- D. Minimum Lot Area: None
- E. Minimum Development Plan Frontage on Road: Three hundred thirty (330) feet.
- F. Minimum Setback Lines (applied to perimeter of the Garden Office District).

1. Front Yard: forty (40) feet along Eagle Parkway (Ditch Road extension)
    - a. Twenty (20) feet for all other streets.
  2. Side Yard: ten (10) feet
  3. Rear Yard: ten (10) feet
- G. Maximum Building Height: Forty-five (45) feet
- H. Maximum Parcel Coverage: Eighty percent (80%)
- I. Loading and Parking: See Article 9.
- J. Signs: See Article 16.
- K. Landscaping: See Article 14.
- L. Lighting: See Article 15.

**Section 5.5. Architectural Standards.**

A. General Requirements.

1. Any proposed development must conform generally with the exhibits contained within the Eagletown PUD. Building Requirements are divided into the Village Marketplace District, Market Center District, and the Garden Office District, with requirements specific to each area.
2. Signage shall be in conformance with regulations of an Architectural Tenant Criteria agreement and Article 16 of the Eagletown PUD. Signs may be lit externally and internally.
3. All heating, ventilating, communication, and other similar equipment located on the roof of any facility shall be screened from view on all sides in a manner that is homogenous with the balance of the structure.
4. Street light fixtures shall be pedestrian-scale fixtures. Lighting on Streets fronting retail shall come primarily from the retail and restaurant windows. Other lighting, such as the pedestrian fixtures, should be secondary to this lighting. Wall sconces should be decorative and compatible with surrounding architecture.
5. Outparcels shown fronting State Highway 32 and Eagle Parkway shall be required to subscribe to the overall architectural theme of the subject District and buildings shall be compatible with the character of the subject District. Common design

vocabulary shall include decorative pole lighting, similar landscape palette, and use of a similar building materials palette. Outlot development should be compatible in general exterior design and materials with the primary development structure or structures. Franchise Architecture shall be modified to conform to the above noted design vocabulary.

6. Monument Signage shall be incorporated to match the general character and identity of the primary structures. Iconic elements may be used as entry treatments at Eagle Parkway and State Highway 32. Monument Signage shall be as directed in Article 16 of this Eagletown PUD.

B. Village Marketplace District.

1. The street west from the roundabout at Eagle Parkway (Depicted in Exhibit “C”) is intended to be a walkable, pedestrian-oriented place which also accommodates slow moving vehicle traffic and parking. This street shall have a cross section to accommodate two moving lanes and shall have attached sidewalks on either side, with at least one row of street trees on the sidewalk on each side. This street shall be a landscaped two lane driving street with parallel parking and twelve (12) foot wide sidewalks. Crosswalks shall be emphasized with special paving emphasis to reinforce pedestrian safety.
2. The centrally located “Village Marketplace Green” shall be streetscaped to accommodate kiosks, public art, outdoor dining, entertainment and special events. Buildings on the surrounding streets shall be set to the “build to” property lines, as shown in the exhibits contained in the Eagletown PUD, in at least 50% of their length. Facades will be allowed to set back from these lines for outdoor dining or entry courtyards where businesses are located, or where facades articulation is provided. Open spaces shall be set within the Village Marketplace Green. All buildings fronting on the “Village Green” shall have their primary entrances face the green, but shall have four-sided architecture so that they also face important side streets. All such retail and restaurant uses shall have windows or doors occupy a minimum of sixty percent of their frontage along the Village Marketplace Green.
3. Parking access shall be provided, surrounding the Village Marketplace Green and the primary street extended west, to a series of parking areas behind buildings. Parking accesses for blocks shall be provided in the following manner:
  - a. North –South streets connected by the “Loop Road”
  - b. Structured Parking is permitted, as long as the exterior architecture is harmonious with the primary buildings.
4. Parking may be located in any building. Any parking structures in the blocks along the primary street or Village Marketplace Green shall be “wrapped” with

retail or office space, and in the case of residential areas, the wrap shall be residential units.

5. Sidewalks shall be a minimum of twelve (12) feet wide and have a minimum clear width for walking of ten (10) feet, unobstructed by any permanent or temporary streetscape elements, signs, displays or outdoor eating areas. Sidewalks may be used for outdoor eating or retail sales, subject to approval by the Developer.
6. Entrance Roads to the Village Marketplace District shall be streetscaped from State Highway 32 and Eagle Parkway with signage, lighting, landscaping, and clearly marked and accessible entries into properties. Certain streets may be extended through the area to connect with neighborhoods to the north, both for vehicles and pedestrians.
7. Retail, restaurant and entertainment uses are encouraged on the immediate area of the Village Marketplace Green. It is not necessary or desirable for the entire length of the Village Marketplace Green to be of a retail orientation. Retail on the first level with office and residential uses on 2<sup>nd</sup> and 3<sup>rd</sup> levels is encouraged.
8. Residential masses above the retail in the Village Marketplace District shall allow balconies, verandas and penthouse decks and shall observe “build-to” lines. Each residential building shall have offsets and setbacks, and visible vertical or horizontal reveals or protrusions that break up the visual monotony of individual buildings. Each primary building entrance facing Village Marketplace Green shall have an awning or other architectural element to protect pedestrians from rain and snow when entering and leaving the building.
9. Each roofline which is longer than one-hundred (100) shall include at least one (1) change of at least two (2) feet in roof silhouette per one-hundred (100) feet of ridgeline distance.

C. Market Center District:

1. Materials and Colors. Buildings within the Market Center District shall have a simple palette of materials which may include:
  - a. Plaster, brick and stucco wall material
  - b. Split-faced block concrete
  - c. Glass
  - d. Masonry
2. Prohibited Materials. Prohibited materials include these materials on any building:

- a. Rustic materials and overlay decorative materials
  - b. Heavy shakes, slump block and weeping mortar
  - c. Plastic, plywood, aluminum or vinyl siding
3. Retail Center Development. An active street frontage extending east from the roundabout at Eagle Parkway is encouraged to reinforce the pedestrian activity of the Village Marketplace District. Although large format retail stores are allowed in this area, traffic calming effects will be introduced to encourage low-speed traffic and safe pedestrian crossings. Building facades shall be articulated with canopies and covered entrances to encourage a more pedestrian friendly environment.

D. Garden Office District:

1. Materials and Colors. Buildings within the Market Center District should have a simple palette of materials which may include:
  - a. Plaster, brick and stucco wall material
  - b. Split-faced block concrete
  - c. Glass
  - d. Masonry
2. Prohibited Materials. Prohibited materials include these materials on any building:
  - a. Rustic materials and overlay decorative materials
  - b. Heavy shakes, slump block and weeping mortar
  - c. Plastic, plywood, aluminum or vinyl siding

**ARTICLE 6. STATE HIGHWAY 32 OVERLAY ZONE.** Section 16.04.075 of the Zoning Ordinance, entitled “State Highway 32 Overlay Zone”, shall be inapplicable to the use and development of the Real Estate, as appropriate standards are specified in Article 5 – Business Districts and 14 – Landscaping Standards, and the corresponding Exhibits, of this Eagletown PUD.