ORDINANCE NUMBER 16-__

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

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

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

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

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

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

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

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

Section 1. Applicability of Ordinance.

1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**SCOFIELD FARMS PUD District**" (the "District").

1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented

or expressly made inapplicable by this Ordinance.

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

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

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

2.1 Area A: The part of the Real Estate depicted on the Concept Plan as Area A.

2.2 Area B. The part of the Real Estate depicted on the Concept Plan as Area B.

2.3 Different Color Package. If an Existing Home's Dominant Exterior Material is a Masonry Material, then the Subject Home's Masonry Material shall be a different color to be a Different Color Package. If the Existing Home's Dominant Exterior Material is not a Masonry Material, then the Subject Home's Dominant Exterior Material color shall be a least two (2) shades different to be a Different Color Package. Color shades shall be identified according to the "Sherwin Williams Color Prime System" or its successor system consistent with the "Munsell Color Theory."

2.4 Dominant Exterior Material. The Exterior Material that occupies the most surface area (compared to other Exterior Materials) of a Front Building Facade, exclusive of doors, windows and garage doors. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.

2.5 Exterior Material. The separate architectural siding materials and patterns on a Front Building Facade such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).

2.6 Existing Home. A Single-family Dwelling that has been issued an improvement location permit at the time an application for an improvement location permit is filed for a Subject Home.

2.7 Subject Home. A Single-family Dwelling that is the subject of an application for an improvement location permit.

2.8 Same Elevation: The same architectural Front Building Façade.

2.9 Underlying Zoning District: The Zoning District of the Unified Development Ordinance that shall govern the development of this District and its various

subareas, as set forth in Section 4 of this Ordinance.

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

Section 4. **Underlying Zoning District(s).** The Underlying Zoning District shall be the SF4: Single Family High Density District.

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

5.1 All uses permitted in the Underlying Zoning District, as set forth in Chapter 4 and Chapter 13 of the UDO, shall be permitted.

5.2 All dwellings in Area A shall be One Story Dwellings.

5.3 Maximum Dwellings. The total number of Dwellings permitted in the District shall not exceed two hundred and thirty-two (232).

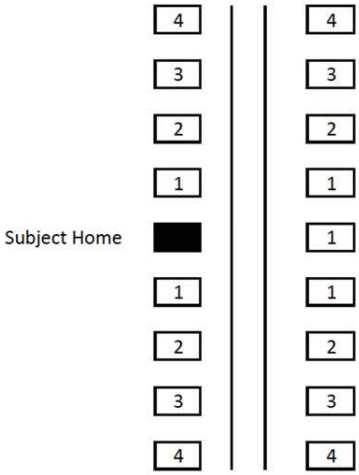
Section 6. **General Regulations.** The standards of Chapter 4: Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below. The standards for Area A and Area B shall be applied to the areas as depicted on the Concept Plan.

Standard	**AREA A**	**AREA B**
Minimum Lot Area	10,000 SF	8,500 SF
Minimum Lot Frontage	40’	40’
Minimum Building Setback Lines		
Front Yard	20’	20’
Side Yard	6’	6’
Rear Yard	20’	20’
Minimum Lot Width	72'	63'
Maximum Building Height	2 ½ stories	2 ½ stories
Minimum Living Area (Total)		
One Story Dwellings	1,400 SF	1,600 SF
Two Story Dwellings	N/A	2,000 SF

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

7.1 Article 6.3 Architectural Standards: Shall apply, except as modified below:

A. Streetscape Diversity: Article 6.3(C)(2) shall not apply; rather, the following shall apply. The Character Exhibit, attached hereto as **Exhibit C**, is hereby incorporated as a compilation of images designed to capture the intended architecture of structures to be constructed in the District. It is not the intent to limit the architecture shown in the Character Exhibit, but to encourage a diversity in architecture of Dwellings within the District. As such, the following shall apply:



1 Homes shall not be of the Same Elevation of the same plan as the Subject Home and shall be a Different Color Package.

2 Homes shall not be of the Same Elevation of the same plan as the Subject Home and shall be a Different Color Package, but may have the same Masonry Material.

3 Homes may be of the same plan and may be the Same Elevation as the Subject Home, but shall be a Different Color Package.

4 Homes may be identical to the Subject Home.

B. Additional Architectural Standards: The following shall apply to all Dwellings:

i. Minimum Overhang: The roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of Masonry Materials.

ii. Garage Composition and Orientation:

a) All Dwellings shall have a minimum two (2) car attached garage.
b) Garage door designs shall include a variety of design elements including windows and/or hardware in order to vary the appearance of garage doors based on the architectural style fo the dwelling. Garage doors with different window designs shall qualify as a different style.

iii. Building Materials: In addition to Article 6.3(C)(3) Building Materials, vinyl and aluminum siding shall be prohibited.

iv. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:

a) Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different exterior materials.
b) A minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to one-story, excluding relief for doors, windows, and garages (homes incorporating two (2) or more architectural breaks shall be deemed to have met two (2) of the element requirements).
c) Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or, two (2) or more roof planes.
d) Architecturally-treated entranceways (for homes without a front porch).

v. Side Building Façade Requirements: Each Dwelling shall utilize a minimum of one (1) of the following architectural elements on each Side Building Façade. Side Building Facades that face Internal Streets shall utilize a minimum of two (2) of the following architectural elements on the Side Building Façade.

a) Side load or angled garage.
b) Hip roof.
c) Roofline direction change or roofline height change greater than sixteen (16) inches or two (2) or more roof planes.
d) A minimum of two (2) two-foot (2') deep offsets which is a minimum height equivalent to one-story, excluding relief for doors, windows, and garages.
e) Masonry Materials on a minimum of eighteen (18) inches in height the entire length of the Side Building Façade, or a minimum four (4) foot deep return from the corner of the Front Building Façade that is a minimum height of the first floor.
f) A minimum of three (3) or more windows with an aggregate minimum of forty-five (45) square feet in size, on the Side Building Façade.
g) Bay window (a minimum of six (6) feet wide).
h) Architecturally-enhanced trim a minimum of five and one-half inches (5-1/2") wide. Alternative decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments) may be considered by the Director if the trim otherwise results in a comparable visual contrast that enhances the architectural interest of the Front Building Facade.

i) Exterior (projects from the Building Façade) fireplace chase that extends above the roof line.
j) Architectural treatment (e.g., brackets, louvers, change in material pattern, etc.) on gable ends.
k) Sunroom or screened porch (a minimum of one hundred and forty-four (144) square feet in size).

7.2. Article 6.8 Landscaping Standards: Shall apply, except as otherwise modified or enhanced below.

A. Lot Landscaping: Article 6.8(K) Minimum Lot Landscaping Requirements shall apply except as modified and enhanced below;

i. All lots shall be subject to the Single-family Residential (per Lot under 8,000 sq. ft.) Plant Materials provisions.

ii. At a minimum the Lot's Established Front Yard shall be sodded and the remainder of the Lot shall be seeded.

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

Section 9. **Design Standards.** The standards of Chapter 8: Design Standards shall apply to the development of the District, except as otherwise modified below.

9.1 Article 8.6 Open Space and Amenity Standards: Shall apply except as otherwise modified or enhanced below.

A. Minimum Open Space: Shall be enhanced to require a minimum of thirty percent (30%) of the Real Estate, as generally shown on the Concept Plan.

B. Common Areas shall not be subject to the minimum Lot frontage provisions of the underlying Zoning District; however, Article 8.6(c) shall apply.

C. Amenities: The following amenities shall be provided:

i. Passive Amenities: A central open space including trails shall be provided for passive recreation opportunities, as generally depicted on the Concept Plan. Trails, including an eight-foot (8') wide multi-use path shall be installed in substantial compliance with the locations depicted on the Concept Plan. The final locations are subject to existing easements and final engineering. If trails are prevented from being installed as generally shown, then alternative trail locations may be

approved by the Director that still provide access and connectivity to the District's Open Space.

ii. Playground. Playground equipment, as generally depicted on **Exhibit D** shall be provided within the area depicted on the Concept Plan.

iii. Pool & Pool House. A swimming pool, pool house and parking lot shall be constructed within the Open Space area, as generally depicted on **Exhibit D** shall be provided within the area depicted on the Concept Plan. An alternative pool and pool house location within the Open Space area may be approved by the Director.

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ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2016.

WESTFIELD CITY COUNCIL

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

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

on the _____ day of _____, 2016, at _____ ____ m.

_____
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-__**

this _____ day of _____, 2016.

_____
J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-__**

this _____ day of _____, 2016.

_____
J. Andrew Cook, Mayor

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

Scofield PUD - file 093016

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate (Legal Description)
Exhibit B	Concept Plan
Exhibit C	Character Exhibits
Exhibit D	Playground Equipment / Pool Amenity

EXHIBIT A
REAL ESTATE

The East half of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, Washington Township, Hamilton County, Indiana.

EXCEPT: Beginning at the Northeast corner of the Northeast Quarter of Section Twenty-nine, Township Nineteen North, Range Four East, in Washington Township; thence North 89 degrees 9 minutes West with North Line of said Section Twenty-nine, 408 feet to corner of this tract; thence, South 900 feet to corner of this tract; thence, South 89 degrees, 9 minutes East 408 feet to corner in Section line; thence, North with Section line 900 feet to the place of beginning, said exception containing 8.4 acres, more or less,

ALSO EXCEPT: Commencing at a 5/8 inch rebar marking the Northeast corner of the East half of the Northeast quarter of Section 29, Township 19 North, Range 4 East; thence South 00 degrees 50 minutes 37 seconds East 900.00 feet with the East line of said East half quarter to a mag nail and the true point of beginning of the real estate herein described; thence South 00 degrees 50 minutes 37 seconds East 250.00 feet with said East line to a mag nail; thence North 89 degrees 59 minutes 51 seconds West 408.00 feet to a 5/8 inch rebar; thence North 00 degrees 50 minutes 37 seconds West 250.00 feet to a 5/8 inch rebar marking the Southwest corner of an 8.4 acre tract; thence South 89 degrees 59 minutes 51 seconds East 408.00 feet with the South line of said 8.4 acre tract to the point of beginning, containing 2.34 acres, more or less.

TOGETHER WITH:

A part of the West Half of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, being bounded as follows:
BEGINNING at the southwest corner (PK nail found) of the Northeast Quarter of Section 29, Township 19 North, Range 4 East; thence North 90 degrees 00 minutes 00 seconds East 650.90 feet on and along the south line of said Northeast Quarter to a point said point being South 90 degrees 00 minutes 00 seconds West 677.11 feet from the southeast corner of the west half of said Northeast Quarter; thence North 00 degrees 33 minutes 50 seconds West 525.71 feet; thence North 90 degrees 00 minutes 00 seconds East 678.64 feet parallel with the south line of said Northeast Quarter to the east line of the west half of said Northeast Quarter said point being North 00 degrees 23 minutes 50 seconds West 525.70 feet from the southeast corner of the west half of said Northeast Quarter; thence North 00 degrees 23 minutes 50 seconds West 536.08 feet on and along the east line of the west half of said Northeast Quarter, said point being South 00 degrees 23 minutes 50 seconds East 1597.01 feet from the northeast corner of the west half of said Northeast Quarter; thence North 89 degrees 33 minutes 19 seconds West 1328.26 feet parallel with the north line of said Northeast Quarter to the west line of said Northeast Quarter; thence South 00 degrees 21 minutes 15 seconds East 1072.08 feet on and along the west line of said Northeast Quarter to the POINT OF BEGINNING, Containing 24.35 acres, more or less, being subject to all applicable easements and rights-of-way of record.

ALSO:

A part of the West Half of the Northeast Quarter of Section 29, Township 19 North, Range 4 East located in Washington Township, Hamilton County, Indiana, being bounded as follows:

Commencing at a point on the West line of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, said point being North 00 degrees 24 minutes 15 seconds West 1072.08 feet from the Southwest corner (PK nail found) of said Northeast Quarter; thence South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter to the point of beginning of this description; thence continue South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter to the East line of the West Half of said Northeast Quarter, said point being North 00 degrees 23 minutes 50 seconds West 1061.78 feet from the Southeast corner of the West Half of said Northeast Quarter; thence North 00 degrees 23 minutes 50 seconds West 1597.01 feet on and along the East line of the West Half of said Northeast Quarter to the North line of said Northeast Quarter; thence North 89 degrees 33 minutes 19 seconds West 664.225 feet on and along the North line of said Northeast Quarter to a point, said point being South 89 degrees 33 minutes 19 seconds East 664.225 feet from the Northwest corner (railroad spike found) of said Northeast Quarter; thence South 00 degrees 24 minutes 03 seconds East 1597.01 feet to the point of beginning, containing 24.35 acres, more or less.

EXCEPTING THEREFROM:

A part of the West Half of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, being bounded as follows:

Commencing at a point on the West line of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, said point being North 00 degrees 24 minutes 15 seconds West 1072.08 feet from the Southwest corner (PK nail found) of said Northeast Quarter; thence South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter to the point of beginning of this description; thence continue South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter to the East line of the West Half of said Northeast Quarter, said point being North 00 degrees 23 minutes 50 seconds West 1061.78 feet from the Southeast corner of the West Half of said Northeast Quarter; thence North 00 degrees 23 minutes 50 seconds West 393.57 feet on and along the East line of the West Half of said Northeast Quarter; thence North 89 degrees 33 minutes 19 seconds West 664.15 feet, more or less to a point that bears North 00 degrees 24 minutes 03 seconds West from the point of beginning; thence South 00 degrees 24 minutes 03 seconds East 393.57 feet to the point of beginning, containing 6.00 acres, more or less.

ALSO:

A part of the West Half of the Northeast Quarter of Section 29, Township 19 North, Range 4 East located in Washington Township, Hamilton County, Indiana, being bounded as follows:

BEGINNING at a point on the West line of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, said point being North 00 degrees 24 minutes 15 seconds West 107208 feet from the Southwest corner (PK nail found) of said Northeast Quarter; thence South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter; thence North 00 degrees 24 minutes 03 seconds West 1597.01 feet to the North line of said Northeast Quarter, said point being North 89 degrees 33 minutes 19 seconds West 664.225 feet from the Northeast corner of the West half of said Northeast Quarter; thence North 89 degrees 33 minutes 19 seconds West 664.225 feet on and along the North line of said Northeast Quarter to the Northwest corner (railroad spike found) of said Northeast Quarter; thence South 00 degrees 24 minutes 15 seconds East 1597.01 feet on and along the West line of said Northeast Quarter to the POINT OF BEGINNING. Containing 24.35 acres, more or less, being subject to an

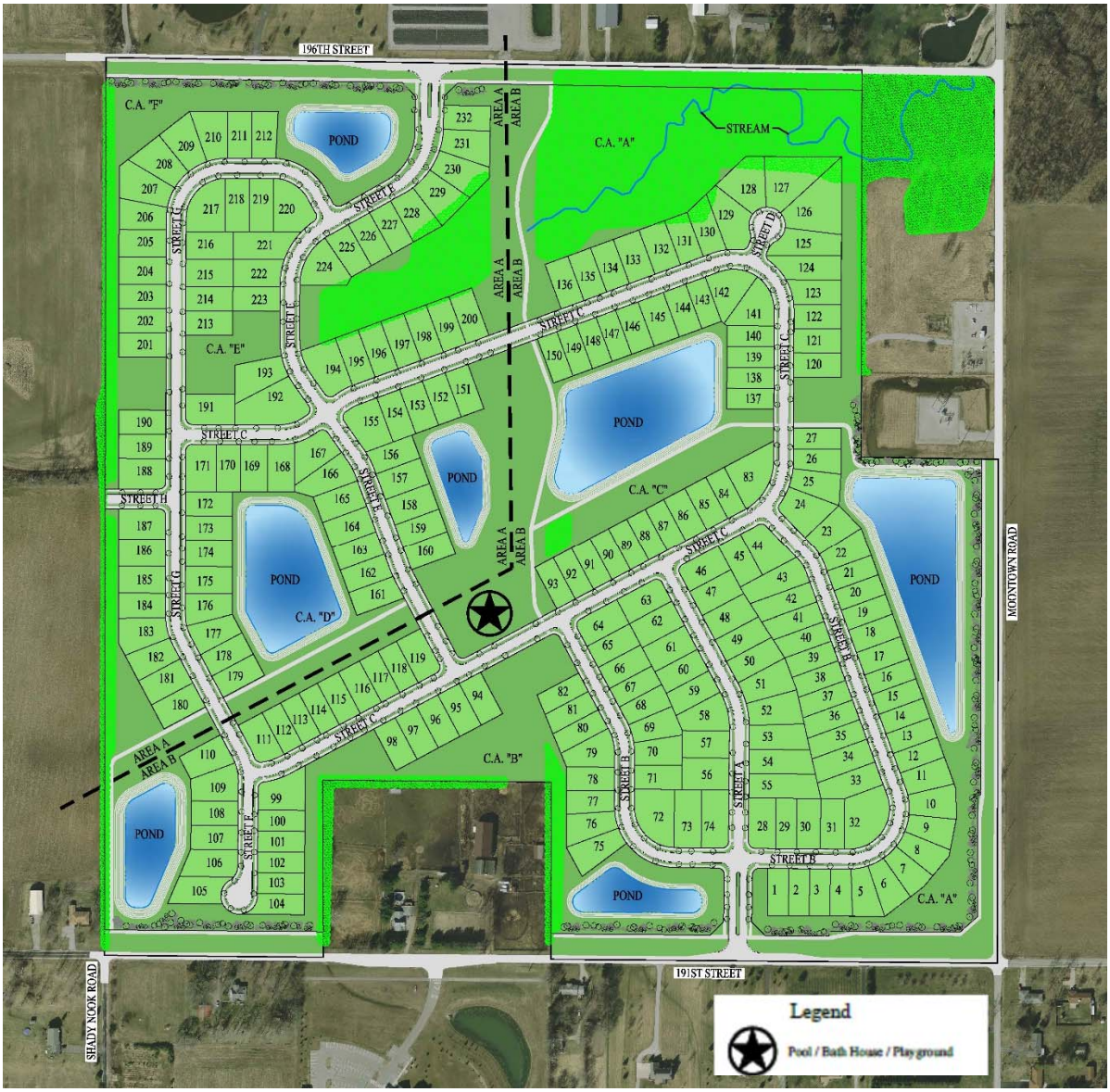
easement for the Ellis Barker Drain, also being subject to all other easements and rights-of-way of record.

ALSO:

A part of the West Half of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, located in Washington Township, Hamilton County, Indiana, being bounded as follows:

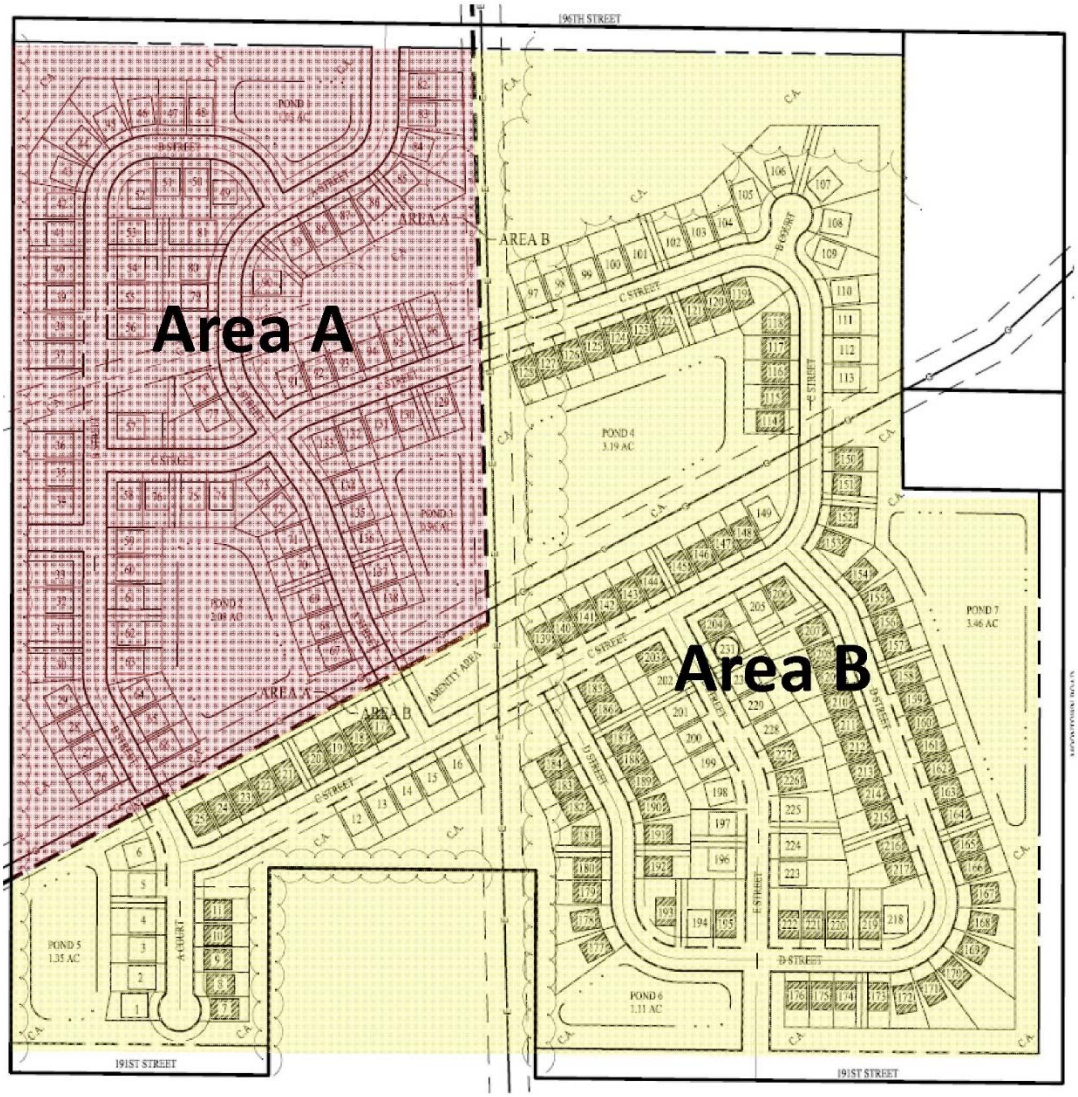
Commencing at a point on the West line of the Northeast Quarter of Section 29, Township 19 North, Range 4 East, said point being North 00 degrees 24 minutes 15 seconds West 1072.08 feet from the Southwest corner (PK nail found) of said Northeast Quarter; thence South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter to the POINT OF BEGINNING of this description; thence continue South 89 degrees 33 minutes 19 seconds East 664.13 feet parallel with the North line of said Northeast Quarter to the East line of the West Half of said Northeast Quarter, said point being North 00 degrees 23 minutes 50 seconds West 1061.78 feet from the Southeast corner of the West Half of said Northeast Quarter; thence North 00 degrees 23 minutes 50 seconds West 39357 feet on and along the East line of the West Half of said Northeast Quarter; thence North 89 degrees 33 minutes 19 seconds West 664.15 feet, more or less to a point that bears North 00 degrees 24 minutes 03 seconds West from the point of beginning; thence South 00 degrees 24 minutes 03 seconds East 393.57 feet to the point of beginning, containing 6.00 acres, more or less.

EXHIBIT B
CONCEPT PLAN
(Page 1 of 2)



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

<u>EXHIBIT B</u>
CONCEPT PLAN
(Page 2 of 2)



<u>EXHIBIT C</u>
CHARACTER EXHIBITS
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<u>EXHIBIT D</u>
Playground Equipment / Pool Amenity
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