

PLANNED UNIT DEVELOPMENT
(PUD) ORDINANCE FOR
Westlyn

Plainfield, IN

Developer/Builder:
Pulte Homes of Indiana, LLC
11595 N. Meridian Street
Suite 700
Carmel, Indiana 46032

Overview of Proposed Development

General Location and Surrounding Properties

The proposed Westlyn Development (“PUD” or the “District”) is generally located south of E US Highway 40 and generally north of Hadley Road/CR 600 South, with one parcel south of CR 600 South. There are residential uses to the north and east, and agricultural uses to the south and west. The Comprehensive Plan calls for Single Family Detached Residential on the site. Access to the PUD will be obtained via two entrances on US 40, with an additional connection at Hadley Road/CR 600 South. The site plan also includes multiple stub roads to the east and west for future connectivity. This site is generally depicted on the attached Exhibit B.

Conceptual Planning

The PUD is situated on approximately 237.074 acres, as more particularly described on Exhibit A, attached hereto (the “Property”). The Property, having been recently annexed into the Town of Plainfield was assigned an initial zone classification in the Town of Plainfield of AG: Agriculture. The Property is currently used for residential and agricultural purposes. The proposed PUD aims to provide a quality residential community consisting of approximately 473 lots with a variety of lot sizes and multiple housing types and including amenities and infrastructure improvements intended to promote quality of place (the “Community”).

The PUD is designed and established to encourage flexibility in the development and use of the land within the PUD, aggregate substantial common areas, and maximize the preservation of wooded areas, including perimeter and interior wooded areas. Adequate streets, utilities and services will be provided. Improvements will include new roads and streetscapes, sidewalks, landscaping, hardscaping, storm water detention and retention and utility extensions. Further, the PUD provides for substantial dedication of right-of-way to accommodate future improvements on US 40, a north-south connector along the western perimeter in order to provide better vehicular circulation and relief of traffic on internal subdivision streets, and an east-west connector through the PUD as required by the Plainfield Thoroughfare Plan. The public spaces within the PUD will be maintained by the homeowners’ association described within this Westlyn PUD Ordinance.

SECTION 1 - BASIC PROVISIONS

1.1 TITLE. This ordinance shall hereinafter be known and cited as “Westlyn PUD Ordinance.”

1.2 AUTHORITY.

- A.** This Westlyn PUD Ordinance is adopted pursuant to the authority contained in I.C. 36-7-4 et seq.
- B.** Whenever any provision of this Westlyn PUD Ordinance refers to or cites a section of the Indiana Code and that section is later amended or superseded, this Westlyn PUD Ordinance shall be deemed amended to refer to the amended section or the section that

most nearly corresponds to the superseded section.

- 1.3 PURPOSE.** In adopting this Westlyn PUD Ordinance, the Town Council is acting for the purpose of:
- A.** Promoting the public health, safety, comfort, morals, convenience and general welfare;
 - B.** Guiding the future development of the town;
 - C.** Securing adequate light, air, convenience of access, and safety from fire, flood and other danger;
 - D.** Lessening or avoiding congestion in public ways;
 - E.** Ensuring that the needs of agriculture, industry and business be recognized in future growth;
 - F.** Ensuring that residential areas provide healthful surroundings for family life;
 - G.** Ensuring that growth be commensurate with and promotive of the efficient and economical use of public funds; and
 - H.** Otherwise accomplishing the purposes of I.C. 36-7-4 et seq.
- 1.4 EFFECTIVE DATE.** This ordinance shall be effective immediately upon adoption by the Town Council.
- 1.6 SEVERABILITY.** It is hereby declared to be the intention of the Town Council that the sections, paragraphs, sentences, clauses and phrases of this Westlyn PUD Ordinance are severable and, if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of this Westlyn PUD Ordinance because the same would have been enacted without the incorporation into this Westlyn PUD Ordinance of such unconstitutional or invalid section, paragraph, sentence, clause or phrase.
- 1.7 EXCLUSION.** Nothing in this Westlyn PUD Ordinance or in any rules, regulations or orders issued pursuant to this Westlyn PUD Ordinance shall be deemed to restrict or regulate or to authorize any unit of government, legislative body, Plan Commission now or hereafter established, to restrict or regulate the exercise of the power of eminent domain by the state or by any agency of the state, or the use of property owned or occupied by the state or any agency of the state.
- 1.8 INTERPRETATION.** In their interpretation and application, the provisions of this Westlyn PUD Ordinance shall be held to be the minimum requirements for the promotion of the health, safety, comfort, morals, convenience and the general welfare of the public. In the case of any conflict or inconsistency between this Westlyn PUD Ordinance or any other ordinance of the town, the provisions of this Westlyn PUD Ordinance shall control.
- 1.10 SUBDIVISION OF LAND.** The subdivision of land may occur in the District; provided, however, that the subdivision of land shall not be required until the developer takes title to the Property. Whenever a subdivision occurs, the rules, regulations and procedures of the Town of Plainfield Subdivision Control Ordinance (“SCO”) shall apply, unless otherwise modified herein.

1.11 SCOPE AND APPLICATION. Except as expressly provided otherwise in this Westlyn PUD Ordinance:

- A. No person may use or occupy any land, building, structure or improvement or authorize or permit the use or occupancy of any land, building, structure or improvement under his or her control except in accordance with the applicable provisions of this Westlyn PUD Ordinance; and
- B. No land, building, structure or improvement shall be used and no building shall be erected, reconstructed or structurally altered, which is arranged, intended or designed to be used for any purpose other than a use which is permitted in the District.

1.12 FINDINGS. In adopting this Westlyn PUD Ordinance, the Town Council has paid reasonable regard to:

- A. The general policies and patterns of development set out in the Comprehensive Plan for the Town;
- B. Current conditions and the character of current structures and uses in each zoning district;
- C. The most desirable use for which the land in each zoning district is adapted;
- D. The conservation of property values throughout the town; and
- E. The responsible development and growth of the town.

1.13 PRIVATE PROVISIONS. The provisions of this Westlyn PUD Ordinance are not intended to abrogate any easement, covenant or other private agreement or restriction.

1.14 DETERMINATION OF LAND USES NOT LISTED IN THIS ZONING ORDINANCE.

- A. It is recognized that this Westlyn PUD Ordinance may require interpretation to assign all possible land uses to the District. Therefore, any land use which is not specifically set forth in this Westlyn PUD Ordinance shall be reviewed by the Director for consistency with the intent set forth this Westlyn PUD Ordinance and for compatibility with land use characteristics typical of land uses permitted within the District and the Director shall determine the appropriate zoning district for any use which is not specifically set forth herein. In case of disagreement with the determination of the Director in assigning a land use, any aggrieved party may file an amendment of this Westlyn PUD Ordinance.

1.15 SAVING PROVISION. Except as shall be expressly provided for in this Westlyn PUD Ordinance, the adoption of this Westlyn PUD Ordinance shall not:

- A. Abate any action pending under, or by virtue of, any prior zoning ordinance;
- B. Discontinue, abate, modify or alter any penalty accruing or about to accrue under, or by virtue of, any prior zoning ordinance;
- C. Affect the liability of any person, firm or corporation under, or by virtue of, any prior zoning ordinance;
- D. Waive any right of the town under any section or provision of any prior zoning ordinance; or
- E. Vacate or annul any rights obtained by any person, firm or corporation by lawful action

of any prior zoning ordinance.

1.16 AMENDMENTS. In its continuing administration of the purposes set forth in Section 1.3 above, the Town Council may find it reasonable and necessary to propose and adopt amendments to the text of this Westlyn PUD Ordinance or determine changes to the zone maps incorporated into this Westlyn PUD Ordinance. All such amendments shall be considered and adopted in compliance with I.C. 36-7-4-600 et seq., the provisions of this Westlyn PUD Ordinance and any applicable rules of procedure subsequently adopted by the Plan Commission or the Town Council governing such procedures.

1.17 COMPLIANCE. Compliance with the terms and provision of this Westlyn PUD Ordinance shall be a prerequisite for the use and development of real property within the town. Failure to comply with the terms and provisions of this Westlyn PUD Ordinance shall be deemed to be a civil zoning violation enforceable by the Plan Commission, as provided for in I.C. 36-7-4 et seq., and Section 10 of this Westlyn PUD Ordinance.

1.18 EXEMPTIONS FOR TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS, WATER AND SANITARY SERVICES.

Service easements, including, but not limited to, those providing for roadways, railroad lines, pipelines, electric power lines, telephone lines, relay stations, water lines, pumping stations, sewer lines, lift stations and the like, shall be exempt from the provisions of this Westlyn PUD Ordinance.

1.19 GENERAL REGULATIONS.

A. *Dismantling, repairing or restoring, or performing any work on any motor vehicle, machine, motor or similar device.* Notwithstanding any provision in this Westlyn PUD Ordinance to the contrary, no person shall dismantle, repair, restore or otherwise perform any work on any motor vehicle, machine, motor or similar device not owned or leased by that person or a member of that person's family on any part of the Property. In addition, any work performed shall be:

1. Incidental to a permitted use; and
2. Completely within an accessory building or garage.

B. *Storing, maintaining or keeping a motor vehicle, machine, motor or similar device on the Property.* Notwithstanding any provision in this Westlyn PUD Ordinance to the contrary, no motor vehicle, machine, motor or similar device from which any part material to the operation of the vehicle has been removed, or which is inoperable for any reason, shall be stored, maintained or kept on any property in any part of the Property unless such device is:

1. Owned or leased by the resident of the property on which the device is stored or by a member of that person's family; and
2. Completely within an accessory building or garage.

C. *Parking, storing, maintaining or keeping a commercial motor vehicle or trailer on the*

Property.

1. Notwithstanding any provision in this Westlyn PUD Ordinance to the contrary, no commercial motor vehicle or trailer shall be parked, stored, maintained or kept on any property in any part of the Property unless the vehicle:
 - a. Has a maximum load capacity of three-quarters of a ton or less;
 - b. Serves as the sole vehicular transportation of a resident of the property upon which it is parked, stored, maintained or kept; and
 - c. Is stored within an accessory building or garage which complies with all the standards and regulations of this Westlyn PUD Ordinance.
2. Commercial motor vehicles that are in the course of making normal and reasonable service calls are exempt from this provision.

D. *Parking, storing, maintaining or keeping of any recreational vehicle including, but not limited to, motor homes, campers, boats, motorcycles, ATVs, jet-skis and the like on the Property.* Notwithstanding any provision in this Westlyn PUD Ordinance to the contrary, no recreational vehicle shall be parked, stored, maintained or kept on the Property unless in compliance with the following:

1. Motorcycles may be parked or stored:
 - a. Inside an accessory building or garage; or
 - b. Outside in such a manner that no part of any such recreational vehicle shall project into any required side or rear yard or in the front yard of the lot other than on the hard-surfaced area of the driveway or interior access drive.
2. Boats, jet-skis, or other watercraft may be parked or stored for a period of 48 hours provided that they are located
 - a. Inside an accessory building or garage; or
 - b. Outside in such a manner that no part of any such recreational vehicle shall project into any required side or rear yard or in the front yard of the lot other than on the hard-surfaced area of the driveway or interior access drive.
3. No campers, recreational vehicles, tractors/trailers, trailers of any kind, temporary storage units, dumpsters, buses, mobile homes, “commercial vehicles” (defined below) business trucks or vans, or any other vehicles other than normal passenger vehicles shall be permitted to be parked or stored anywhere within the Property (which includes any street or common area within Community), unless they are parked or stored completely enclosed within the Owner’s garage

E. *Parking of operable motorized vehicles on the Property.* All operable motorized vehicles shall be parked:

1. Inside an accessory building or garage; or
2. Outside in such a manner that no part of any such operable motorized vehicle shall

project into any required side or rear yard or in the front yard of the lot other than on the hard-surfaced parking space, driveway and public or private street where parking on the street is allowed.

SECTION 2 – STANDARDS OF THE DISTRICT

2.1 INTENT. The purpose of the Residential District is to provide single-family residences with a variety of lot and home sizes. The Residential District shall contain a maximum of 473 lots, as depicted on **Exhibit B**, the Preliminary PUD Site Plan. The PUD shall consist of one **Residential District** (“District”), comprised of four (4) Areas with different bulk standards as follows below in this Westlyn PUD Ordinance. The PUD shall consist of detached single-family homes on individual deeded lots.

2.2 AREAS.

- A. “Area A” shall refer to those sections of the Property depicted on **Exhibit B** as Area A.
- B. “Area B” shall refer to those sections of the Property depicted on **Exhibit B** as Area B.
- C. “Area C” shall refer to those sections of the Property depicted on **Exhibit B** as Area C.
- D. “Area D” shall refer to those sections of the Property depicted on **Exhibit B** as Area D

2.3 PERMITTED USES. The following uses are permitted Primary Uses within the District:

- A. Single Family Dwellings
- B. Model Homes. Model Home, as used herein, shall be defined as a residence constructed for the initial purpose of showing the home to potential buyers and may include a sales office. Model Homes may vary from development standards and approved elevations until such time as the Certificate of Occupancy is issued with respect to the last home built in the PUD. Prior to the issuance of a Certificate of Occupancy on any model home, the subject model shall be converted to conform to the design standards in Section 3.8 below.
- C. Parking Lot for Model Home
- D. Only in areas identified on Exhibit B as Common Areas: Outdoor Recreational, Active and Outdoor Recreational, Passive and the other amenities identified in Section 6 of this Westlyn PUD Ordinance.

2.4 DEVELOPMENT STANDARDS. The following development standards shall apply to the development of the District:

Area	Area A	Area B	Area C	Area D
Maximum Number of Residential Units	78	106	116	200
Minimum Lot Area (sf)	12,000	8,450	7,800	6,900
Minimum Lot Width	80’	65’	60’	55’
Lot Frontage at ROW	40’	30’	30’	30’
Maximum Lot Coverage	50%	60%	60%	60%
Maximum Building Height, Primary Building	40’	40’	40’	40’
Minimum Front Yard Setback²	25’	25’	25’	25’

Minimum Side Yard Setback²	7.5'/5' ₇	7.5'/5' ⁷	5'	5'
Minimum Rear Yard Setback²	15'	15'	15'	15'
Minimum Living Space per Dwelling (sf)	2,000	1,500	2,000	1,500
Minimum Roof Pitch¹	5/12	5/12	5/12	5/12
Maximum Structure Height, Accessory Structure	20'	20'	20'	20'
Minimum Garage Area including storage (sf)⁴	480	415	430	415
Garage Door Width Ratio to length of front façade (two-car garage)⁵	40%	40%	46%	46%
Garage Door Width Ratio to length of front façade (three-car garage)⁵	45%	48%	50%	N/A ³

¹Secondary, accent, and/or other roof planes shall have a minimum roof pitch of 3/12.

²Drainage and utility easements may be co-located wholly or partially within front, side and rear yard setbacks.

³Three-car garages not allowed in Area D.

⁴Minimum Garage Area must be calculated based on interior dimensions of the ground level. It cannot include attic space and must be exclusive of areas set aside for HVAC, water heaters, and the like.

⁵The percentage is determined by dividing the garage door width by the overall width of the house, regardless of articulation and specifically including any offset planes.

⁷Minimum Side Yard Setbacks for homes with side-loaded garages shall be 5'; all other homes shall require a 7.5' Side Yard Setback.

SECTION 3 – REGULATIONS OF GENERAL APPLICABILITY

3.1. ACCESSORY USES AND STRUCTURES

A. Permitted Accessory Uses.

1. *Accessory Uses* The following uses are permitted Accessory Uses within the District: Porches; Decks; Gazebos; Canopies; Pergolas; Patios; Outdoor Fireplaces; Bathhouses, Cabanas, Children's Playhouses; Swings; Game Courts, including tennis and basketball courts; Signs, Swimming Pools, Hot Tubs; and Satellite Dish Antennas.
2. *Accessory Uses* shall not be permitted on a *Lot* prior to the erection of the *Primary Building*.

B. General Development Standards for Accessory Uses. In addition to specific use or structure regulations listed elsewhere in this Section, the following shall apply for certain uses. In the case of conflict, the stricter standard shall apply.

1. Accessory Uses shall comply with all Development Standards of Section 2 unless an exception is specifically provided for in this Section 3.1. If no accessory *building* development standard is specified, the standard shall be that which is closest in

terms of development standards and density based upon the determination of the Director of Planning and Zoning.

2. Accessory Uses shall not encroach upon any platted easements unless specifically authorized by the terms of the easement or by written consent of the agency (or their designee) in whose favor the easement is granted.
3. Accessory Use *Buildings* or *Structures* shall not have a lesser *Front Setback* than the Primary Use *Building* or Structure excepting a permitted Accessory Use such as a Freestanding Sign or *other Accessory Use allowed to encroach into the front setback*.

C. Fences.

1. All fences shall comply with all Section 3.7: Vision Clearance Area requirements of this Westlyn PUD Ordinance if located on a *Corner Lot*.
2. All fences on Lots in the District must be wrought iron, its aluminum equivalent or like material, similar in character to the fence illustrated below:



3. Fence Height. The maximum height for fences in side or rear yards of *Lots* shall be 72 inches. No fencing shall be permitted in front yards of *Lots*. A common fence located along a perimeter *Street* of a recorded, platted residential *Subdivision* where individual *Lots* or *Dwelling Units* do not have direct *Access* to said perimeter *Street* (*Subdivision Perimeter Fence*) shall not exceed 72” in height.

D. Game Courts. *Game Courts* shall not be located in any required *Front Yard* or between the established *Front Building Line* and the *Front Lot Line* provided, however, a basketball goal may be located in or adjacent to a *Driveway* on any *Lot* containing a *Single-Family Dwelling*.

E. Porches, Patio Covers, and Pergolas.

1. An unenclosed porch (open on three sides) may encroach into a required front yard up to eight (8) feet but shall not be nearer than five (5) feet to a front lot line.
2. Roofed structures which are attached to or adjoin a primary building shall be permitted in a required rear yard provided that the structure complies with all other development standards of this Westlyn PUD Ordinance.

F. Satellite Dishes.

1. Single Family

- a. The regulations of this Section shall apply to *Satellite Dish Antennas* in the District which are greater than one meter (39.37”) in diameter. These regulations are intended to allow *Satellite Dish Antennas* to be located in a manner that:
 1. does not unreasonably delay or prevent the installation, maintenance or use of the antenna;
 2. does not unreasonably increase the cost of installation, maintenance or use of the antenna; or
 3. preclude reception of an acceptable quality signal.
- b. The regulations of this Section are intended to accomplish the following specific and clearly defined health, safety and aesthetic objectives:
 1. To promote the public health and safety by providing criteria for the placement of *Satellite Dish Antennas* greater than one meter (39.37”) in diameter which ensure that all such installations are performed in a manner which limits endangerment of life and property on the site and on surrounding properties if the antennas should collapse or are felled by ice or high winds; and,
 2. To ensure the aesthetic harmony of residential areas by providing for a harmonious Streetscape, consistent with the Comprehensive Plan, uncluttered by non-residential Structures, including guy wires, poles, masts, cables or other appurtenances which can create a visual blight offensive to those who reside, work or travel in the Town of Plainfield.
- c. The following regulations are intended to meet the above objectives without unnecessarily burdening the Federal interests in ensuring the availability of satellite services and in promoting fair and effective competition among competing communication service providers. *Satellite Dish Antennas* greater than one meter (39.37”) in diameter shall be permitted provided that:
 1. If ground mounted, *Satellite Dish Antennas* shall:
 - a) not be located in any required *Front, Side* or *Rear Yard*, or between the established *Front Building Line* and the *Front Lot Line*; and,
 - b) not exceed the *Maximum Building Height* allowed for an *Accessory Structure*.
 2. If roof-mounted, *Satellite Dish Antennas* shall:

- a) not exceed the *Maximum Building Height* limit allowed for a *Primary Building*;
- b) not extend beyond the horizontal limits of the roof area; and,
- c) be installed in accordance with plans certified by a registered engineer that the proposed installation complies with the standards listed in the Indiana Building Code.

G. Swimming Pools or Hot Tubs.

- 1. A swimming pool or hot tub shall not be located between any *Front Lot Line* and the established *Front Building Line*.
- 2. All swimming pools or hot tubs must comply with the Indiana Pool Code, the National Safety Code and the National Electrical Code, current editions.
- 3. Abandoned or unused swimming pools or hot tubs, situated on premises which are not occupied must be maintained safely in a manner compliant with the Indiana Pool Code.

H. Underground Facilities. Underground facilities shall not be located in or under any required *Front, Side or Rear Yard*

3.2. TEMPORARY USES, STRUCTURES AND BUILDINGS

A. Permits Required. A temporary use, structure or building which is in compliance with the provisions of this Section, shall be allowed in any Area. A temporary use, structure or building which will be converted into a permanent primary or accessory use after the cessation of the temporary use shall be required to obtain an improvement location permit prior to the establishment of the use or the construction of any structure or building. A temporary use, structure or building which will be removed from the site upon cessation of the temporary use shall be exempt from the requirements of this Westlyn PUD Ordinance to obtain an improvement location permit.

B. Permitted Temporary Uses, Structures and Buildings. By way of example only, permitted temporary uses, structures and buildings include: construction trailers, sales offices, model parking lots, and garage sales.

C. Duration. Except as specifically provided otherwise in this Section 3.2, a temporary use, structure or building shall be permitted for a period not to exceed one year. Except as specifically provided otherwise in this Section 3.2, the temporary improvement location permit, if required, may be renewed for an additional one-year period by the Director upon showing of good cause.

D. Compliance With Development Standards. Any temporary use, structure or building shall comply with all applicable development standards and setback requirements of this Westlyn PUD Ordinance.

E. Cessation Of Use. All structures, buildings or debris associated with the temporary use shall be removed from the site immediately upon completion or cessation of the

temporary use or expiration of the time period set forth above.

F. Additional Regulations for Garage Sales/Yard Sales. Notwithstanding any regulations above to the contrary, a garage sale shall be subject to the following additional regulations.

1. A garage sale may be conducted two times each calendar year and shall not exceed three consecutive days in duration.
2. A garage sale shall only be conducted during the hours from sunrise to sunset.
3. All personal property exhibited outdoors during a garage sale shall be placed within a building or structure or otherwise removed from the premises immediately following the end of the garage sale.
4. No garage sale shall occur unless a permit therefore has been obtained from the Clerk of the town. All garage sale permit applications shall include the name of the owner(s) involved in the garage sale, the address(s) of the garage sale and the date(s) of the garage sale. If an application for a garage sale permit indicates compliance with the provisions of this Section, a garage sale permit shall be issued.
5. The garage sale permit shall be clearly displayed on the premises of the garage sale for the complete duration of the garage sale.
6. Garage sale signs shall comply with the applicable provisions of Section 7.
7. Nothing in this Section shall be construed to prohibit one or more owners from conducting a combined garage sale on one of the premises owned by the participants, provided that all other provisions of this Section are complied with.

G. Temporary Model Homes for Residential Subdivisions.

1. Notwithstanding the provisions of Section 3.2.C, model homes pursuant to this Section 3.2.G shall be permitted for as long as any developer or initial homebuilder shall own any lots in the District.
2. Model homes with or without a sales office are allowed subject to the following standards.
 - a. Prior to construction, a building permit and improvement location permit (ILP) shall be issued.
 - b. Must be located on a lot in the development in which the homes are for sale.
 - c. The street providing access to the model home shall be paved.
 - d. The model home must have Level 1 foundation landscaping along the front and side elevations, except where such landscaping would obstruct doors or walkways in which case said landscaping may be provided elsewhere on the Lot.
 - e. At least two off-street parking spaces shall be provided on a paved or concrete surface. This requirement may be satisfied by a temporary parking lot provided on a separate Lot within walking distance of the Model home.
 - f. Shall be located within 250 feet of a fully functional and operational fire hydrant.
 - g. All signs shall comply with the temporary sign standards of Section 7.
 - h. Hours of operation shall be between 7:00 a.m. and 9:00 p.m. daily.
 - i. All exterior lighting shall be limited to typical household exterior lighting.
 - j. Ground mounted flood lighting is permitted for model signage. Lighting directed towards a *Sign* shall be shielded so that it illuminates only the *Sign Surface* and

does not shine on, cause glare to, or otherwise impair the vision of the driver of a motor vehicle or any residence.

H. Temporary Storage Units.

1. Shall be located on the site or lot of the primary use for which the temporary storage is required;
2. Shall not be located within any required front, side or rear yard setback;
3. Shall not be located within any public right-of-way or block a public sidewalk;
4. Shall be located on an impervious surface such as a driveway or an off-street parking area;
5. Under no circumstances shall more than one temporary storage unit be allowed on the site or lot at any time; and
6. Shall not exceed 30 consecutive days in duration per primary use per calendar year unless the duration is extended by the Director.

3.3. HOME OCCUPATIONS

A. Intent. It is the intent of this Section to provide for home occupations that conform to the standards set forth below. The standards in this Section are intended to ensure compatibility of home occupations with other permitted uses and with the residential character of the neighborhood plus clearly establishing the secondary or incidental status of home occupations in relation to the primary use for dwelling purposes.

B. Required Conditions. Home occupations shall be permitted subject to the following conditions.

1. Home occupations shall be limited to:
 - a. Family members residing within the dwelling and who make the dwelling their primary place of residence; and
 - b. A maximum of one non-resident employee.
2. The use of the dwelling unit for the home occupation shall be incidental and subordinate to the use for residential purposes by the occupants. No more than 20% of the gross floor area of the dwelling unit shall be used in the conduct of the home occupations.
3. There shall be no structural alterations to the interior of the dwelling to accommodate a home occupation which would render the dwelling undesirable for residential use.
4. There shall be no structural additions, enlargements or exterior alterations changing the residential appearance of the dwelling or the lot or other visible indications of the conduct of the home occupation.
5. There shall be no additional or separate entrance to the dwelling for the purpose of conducting the home occupation.
6. There shall be no internal or external alterations, construction features or use of electrical or mechanical equipment which would change the fire rating of the structure.
7. There shall be no outside storage of any kind related to the home occupation.
8. All aspects of the home occupation shall be conducted within the dwelling structure

in which the occupant makes his or her residence. No home occupation shall be conducted in any accessory building or detached garages.

9. There shall be no traffic generated by a home occupation which is greater in volume than that which would be normally expected in the residential area in which the home occupation is located.
10. There shall be no equipment or process used in the home occupation which creates noise, vibration, glare, smoke, fumes, odors or electrical interference detectable to the normal senses at any point beyond the lot line.
11. There shall be no electrical or mechanical equipment utilized in the home occupation which will create any visual or audible interference with radio or television reception or which will cause fluctuations in line voltage off the premises.
12. The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than vehicles normally associated with residential home delivery (i.e., postal or united parcel vehicles).
13. The home occupation shall not involve the use of on-premises signs which call attention to the fact that the dwelling is being used for business purposes.
14. The dwelling shall not be altered in its appearance and the home occupation shall not be conducted in such a manner as to differentiate the dwelling from the residential character of the area by either use of colors, materials, construction, separate entrances, lighting, signs or other means.
15. No stock in trade shall be displayed or sold upon the premises.

C. Prohibited Home Occupations. The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, the uses specified below shall not be permitted as home occupations:

1. Auto/vehicle repairs, major or minor;
2. Barber/beauty shop;
3. Dance studio;
4. Dental office or clinic;
5. Medical office or clinic;
6. Painting of vehicles, trailers, boats and the like;
7. Photography studio;
8. Photo developing;
9. Private schools with organized in-person classes;
10. Upholstering;
11. Television or radio repair;
12. Lawn mower or bicycle repair;
13. Appliance repair, large or small;
14. Freight, trucking or shipping;
15. Tooling, welding or machine shop;
16. Antique or gift shop;
17. Tool or equipment rental;
18. Veterinary clinic, kennel or stable;
19. Restaurants, eating or drinking establishments; and
20. Any use not in compliance with the intent and conditions set forth in this Section.

D. Permitted Home Occupations. By way of example, the following uses, when conducted in compliance with the conditions set forth above, qualify as permitted home occupations:

1. Art studio;
2. Dressmaking;
3. Office for an architect, engineer, planner, lawyer or accountant;
4. Office for a sales representative;
5. Teaching, including musical instruments or dance when limited to one pupil at a time;
6. Child care for five or less children at any time;
7. Home school; and
8. Other uses that comply with the intent and conditions set forth above in this Section.

E. Registration Of Home Occupations. All persons conducting home occupations shall register the home occupation with the town on forms provided by the Clerk’s office.

3.4. PERIMETER LANDSCAPE PROVISIONS

A. Perimeter Landscaping. The frontage on US-40 and the western perimeter adjacent to the right-of-way to be dedicated shall be landscaped with PUV 5 subject to the following:

Table 3.4.D: Perimeter Landscaping Required			
Perimeter	PUV Level	Landscape Easement With Berms	Fence or Wall
Front ⁽¹⁾	5	20 feet ⁽²⁾	Permitted

⁽¹⁾along US-40 and the western perimeter adjacent to the right-of-way to be dedicated.

⁽²⁾See Section 3.4.B.1 and Section 3.4.B.1.f for more details on Berms.

1. If a fence or wall is incorporated, all plant material shall be located on the outside of the fence or wall.
2. Existing trees may be used and given credit per Section 3.4.B.1.a, if it is determined the trees are an appropriate species and healthy.

B. Plant Unit Value.

1. Plant Unit Value (PUV) is denoted either by the size of the planting at time of planting or, if preserved (if applicable). The following standards shall apply.

Table 3.4.B.1.a Plant Unit Value—Plant Material			
Type		PUV-Time of Planting	Preserved PUV Bonus
Deciduous	Size		
Overstory	Less than 2” caliper	0.00	Not applicable
	2” – 4” caliper	0.50	Not applicable

	4" – 6" caliper	0.75	+0.25
	> 6" caliper	1.00	+0.25
Understory/ Ornamental	Less than 3" caliper	0.00	Not applicable
	3" – 5" caliper	0.25	Not applicable
	> 5" caliper	0.50	+0.25
	1" – 3" caliper	0.75	+0.25
Evergreen	Size (time of planting)		Preserved PUV Bonus
Tree	Less than 6' high	0.00	Not applicable
	6' high	0.50	Not applicable
	12' high	0.75	+0.25
	> 12' high	1.00	+0.25
Narrow spread	Less than 4' high	0.00	Not applicable
	4' -6' high	0.25	Not applicable
	6'-10' high	0.50	+0.25
	> 10' high	0.75	+0.25
Non-Tree	Size (time of planting)		Preserved PUV Bonus
Hedge or Shrub	18" (foundation only)	0.025	Not applicable
	24"	0.050	Not applicable
	36"	0.100	Not applicable

Table 3.4.B.1.b: Plant Unit Value—Fences and Walls

Fence or Wall	Sight Barrier	Height (feet)		PUV per 100 foot increment
		Minimum	Maximum	
	Solid	2.5	3	0.50
	>50%	5	6	
	Solid	4	6	0.75
	>50%	6	10	

Table 3.4.B.1.c: Plant Unit Value—Berms

Berm Height (in feet)	PUV per 100 foot increment
3	0.50
6	0.75
10	1.00
15	1.50

- a. Credit for Preservation of Existing Trees. To encourage the preservation of existing stands of trees or tree rows and to enhance the quality of the built environment, the *Director* may approve an alternative landscape plan which utilizes the designation of a Tree Save Area in lieu of new plantings:

- 1) provides for the saving of trees in the Tree Save Area at or in excess of

- the rate specified in Table 3.4.B for new plantings;
- 2) provides that all trees which are to be preserved in a Tree Save Area shall be maintained without injury and with sufficient area for the root system to sustain the tree;
 - 3) provides that protective care and physical restraint barriers at the drip line, such as temporary protective fencing, shall be provided in the Tree Save Area to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction; and
 - 4) provides that, in the event trees designated for saving in the Tree Save Area are damaged during construction or die within three (3) years of completion of construction on the site, identical type replacement tree(s) shall be planted in the designated Tree Save Area at a rate equal to the PUV of the tree(s) that was damaged or which died.
- b. Plants listed by the Indiana Department of Natural Resources as invasive plants, restricted under other rules, and/or on State or Federal regulations as noxious weeds are prohibited from use as landscaping.
 - c. A plant cannot be credited to more than one type of landscaping element (e.g. an individual tree cannot be counted toward a parking lot requirement and a foundation requirement.)
 - d. Fences and Walls. In addition to living vegetation required above, landscaping pursuant to Section 3.4.A may include an ornamental, decorative fence or masonry wall as detailed in Table 3.4.B
 - e. Plants shall not be placed within the Vision Clearance Area (see Section 3.7) or in a manner deemed by the Director to unduly impair vehicular or pedestrian safety.
 - f. Berms
 - 1) Construction of Berms. A berm used as a landscaping element shall be constructed in accordance with the following regulations:
 - a) Each berm shall have a minimum crown width of two (2) feet;
 - b) Each berm shall have a side slope of not greater than three feet horizontal to one foot vertical (3:1);
 - c) Each berm shall be planted and covered with live vegetation; and,
 - d) A retaining wall may be used on the side of the berm facing away from the Public Right-of-Way.
 - 2) Plant Unit Value for Berms. See Table 3.4.B

3.5. PERFORMANCE STANDARDS

A. Scope And Applicability. All new uses established after the effective date of this Westlyn PUD Ordinance shall comply with the following performance standards. Any use in existence prior to the date of this Westlyn PUD Ordinance shall not be altered or modified so as to conflict with the following performance standards.

B. Performance Standards.

1. *Vibration.* No use shall cause earth vibration or concussions detectible beyond the

- lot lines without the aid of instruments.
2. *Smoke, dust and particulate matter.* Smoke, dust and particulate matter and any other airborne material shall not exceed the limits established by the Indiana Department of Environmental Management Rules regarding fugitive dust.
 3. *Noxious matter.* No use shall discharge across lot lines any noxious, toxic or corrosive matter, fumes or gases in such concentration as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
 4. *Odor.* No use shall emit across lot lines odors in such quantities as to be readily detectible at any point along the lot lines and as to be detrimental to or endanger the public health, safety or welfare or cause injury to property.
 5. *Noise.* No use shall produce noise in such a manner as to endanger the public health, safety or welfare or cause injury to property. Operational or production noise shall be muffled so as not to become detrimental due to intermittence, beat frequency, shrillness or vibration.
 6. *Heat.* No use shall produce heat creating a hazard perceptible from any point beyond the lot lines.
 7. *Glare.* No use shall produce glare creating a hazard perceptible from any point beyond the lot lines.
 8. *Waste.* No use shall accumulate within the lot or discharge beyond the lot lines any waste matter, whether liquid or solid, in violation of the applicable standards and regulations of the County Health Department, the Indiana State Board of Health, the Stream Pollution Control Board of the state, in such a manner as to endanger the public health, safety or welfare or cause injury to property.

3.6. LIGHTING STANDARDS

A. Intent. It is the intent of lighting standards to provide for illumination levels on individual lots which are adequate for the safe and efficient movement of individuals or vehicles to and from a lot and within a lot. Light intensity shall not be so great as to cause objectionable glare beyond any lot line.

B. General Regulations

1. Light standards and fixtures on a lot, including freestanding light fixtures and those attached to buildings, security lights and architectural lights, shall be of consistent design and materials.
2. All freestanding, canopy, pathway, and wall mounted lights shall be of either: a “down lighting” style with the light element completely shielded on all sides and the top; or be equipped with a refractor to direct light downward onto the lot.
3. Excepting architectural, pathway, or landscape lighting, all lights shall be LED (light emitting diode) unless approved by the Plan Commission as a part of a Development Plan.
4. All freestanding, pathway and wall pack light fixtures shall be mounted parallel with the horizon and shall utilize a rigid mounting arm with no built-in up-tilt and no adjustment feature.
5. All lights mounted at a height equal to or exceeding four (4) feet in height above grade shall be a shoe-box style fixture.
6. Lighting shall be so directed and shielded that the light element is not visible from

- any point along an adjacent public right-of-way or adjacent properties.
7. Lighting shall not cause illumination beyond any lot line, except for common lot lines in commercial or industrial areas which utilize the development incentive for the use of required yards in integrated centers or industrial parks;
 8. Low height lighting of areas to be utilized by non-motorized transportation is encouraged.

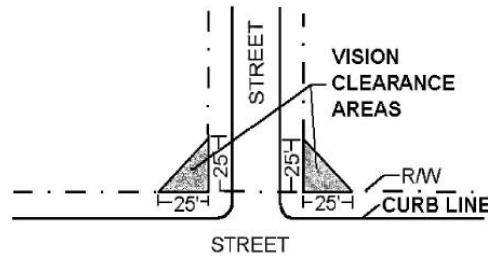
C. Maximum Height of Fixtures by Type of Use. Except for streetlights, the maximum height of any light fixture on the Property shall be 12 feet.

3.7. VISION CLEARANCE AREAS

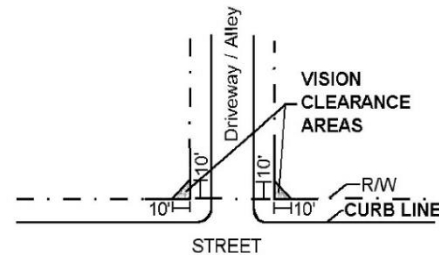
A. No building, structure or improvement, including landscaping, shall be erected, placed, planted or maintained so as to interfere with a vision clearance area located between the heights of two and one-half feet and nine feet above the crown of a street, driveway or alley.

B. A vision clearance area shall be established for all streets, whether public or private, in one of the following manners:

1. At the intersection of streets, vision clearance areas are formed at each corner by the street right-of-way lines and a line connecting points on the right-of-way lines located 25 feet away from the intersection of such street right-of-way lines. In the case of a round or corner-cut right-of-way, the measurement shall be taken from the intersection of the right-of-way lines extended; or
2. At the intersection of a street with a driveway or alley, vision clearance areas shall be formed by the intersection of the street right-of-way line and the driveway surface edge or the right-of-way of the alley and a line connecting points ten feet street right-of-way line and the driveway surface from the intersection of such edge or alley right-of-way.



Vision Clearance Area, Street Intersection



Vision Clearance Area, Driveway/Alley Intersection

SECTION 3.8 ARCHITECTURAL STANDARDS

A. Exterior Elevations

1. The applicable list of design criteria approved for residential construction is expressly set forth in **Exhibit C**, attached hereto, which is intended to replace the Town of Plainfield Residential Design Guidelines. Homes may vary from such standards while in use as a Model Home.

2. Attached as **Exhibit E** are representative renderings of elevations of single-family dwellings that may be built within the District. Any modifications to the certified elevations or other elevations meeting the criteria set forth in this PUD may be subsequently certified upon presentation to the Planning Director at their discretion.

B. Roofs

1. All homes shall have 3-tab fiberglass shingles, except for secondary, accent, and/or other non-primary roof planes may be standing seam metal.
2. All homes shall have a minimum of 8” roof overhangs, as measured from the exterior wall of the home prior to the installation of any exterior sheathing, cladding, or masonry materials.

C. Garages.

All homes shall have at least a two-car attached garage, which may include additional storage space. All garages shall meet the requirements set forth in **Exhibit “C”**.

D. Anti-Monotony Code

All homes in the District shall conform to the anti-monotony code attached hereto as **Exhibit “D”**.

E. Exterior Materials.

1. Neither vinyl nor aluminum siding shall be permitted in the District. Acceptable exterior siding materials shall include brick, stone, cast stone, limestone, fiber cement, wood, and engineered wood.
2. Homes on corner lots shall include a minimum 30-inch masonry (brick or stone) wainscotting on all four sides of the home.

F. Landscaping Requirements

1. The following landscape requirements shall apply to the District:
 - a. A minimum of eight (8) shrubs along the front elevation and shall be a minimum of eighteen (18) inches in height at the time of planting.
 - b. One (1) shade tree, with two (2) inch caliper at the time of planting, shall be planted in the front yard.
 - c. The front yard of all lots shall be landscaped with sod to the front building line extended to each side lot line. The remaining portions of the side yard and rear yard of the lot shall be seeded.
2. Landscaping in Right-Of-Way
 - a. In addition to the front yard trees required in Section 3.8.F.1.b. above, Street

Trees shall be planted along all streets within the lot, parallel to the street, and said Street Trees shall be a minimum two (2) inch caliper at the time of planting and shall be located as determined by good engineering practices. Typical spacing of street trees shall be fifty (50) feet apart, with at least 1 per Lot.

- b. Street Trees planted in streets depicted in orange in Exhibit G shall be of one of the following varieties:
 - 1) *Acer rubrum* “Autumn Blaze” “Autumn Blaze Red Maple”
 - 2) *Acer rubrum* “October Glory” “October Glory Red Maple”
 - 3) *Acer grandidentatum* “Rocky Mountain Glow Maple”
 - 4) *Acer glabrum* ”Rocky Mountain Maple”
 - 5) *Amelanchier canadensis* “Serviceberry”
 - 6) *Aesculus pavia* “Red Buckeye”
 - 7) *Carpinus Carolina* “American Hornbeam”
 - 8) *Cercis canadensis* “Eastern Redbud”
 - 9) *Crataegus crus-galli* “*inermis*” “Thornless Cockspur Hawthorn”
 - 10) *Ginkgo b.* “*Princeton Sentry*” “Sentry Maidenhair Tree”
 - 11) *Gleditsia triacanthos* “*Draves*” “Street Keeper Honeylocust”
 - 12) *Magnolia soulangeana* “Saucer Magnolia”
 - 13) *Nyssa sylvatica* “Black Tupelo or Black Gum”
 - 14) *Prunus cerasifera* “*ThunderCloud*” “Thundercloud Plum”
 - 15) *Quercus bicolor* “Swamp White Oak”
 - 16) *Quercus imbricaria* “Shingle Oak”
 - 17) *Syringa reticulata* “*Ivory Silk*” “Ivory Silk Japanese Tree Lilac”
 - 18) *Tilia cordata* “Littleleaf Linden”
 - 19) *Ulmus americana* “*Princeton*” “Princeton Elm”
 - 20) *Ulmus parvifolia* “*Drake*” “Drake Elm”
 - 21) *Ulmus propinqua* “*JFS. Bieberich*” “Emerald Sunshine Elm”
 - 22) *Ulmus x.* “*Fronier*” “Frontier Elm”
 - 23) *Zelkova serrata* “*City Sprite*” “City Sprite Zelkova”
 - 24) Any other species or variety as may be approved by the Director.

- c. Street Trees planted in streets depicted in green in Exhibit G shall be of one of the following varieties:
 - 1) Any of the varieties identified in Section 3.8.F.2.b
 - 2) *Acer griseum* “Paperbark Maple”
 - 3) *Nyssa sylvatica* “*JFS-PN LegacyI*” “Gum Drop Tupelo:

- 4) *Acer campestre* “Panacek” “Metro Gold Maple
- 5) *Nyssa sylvatica* “Haymanred” “Red Rage® Tupelo”
- 6) *Carpinus caroliniana* “Palisade American Hornbeam”
- 7) Any other species or variety as may be approved by the Director.

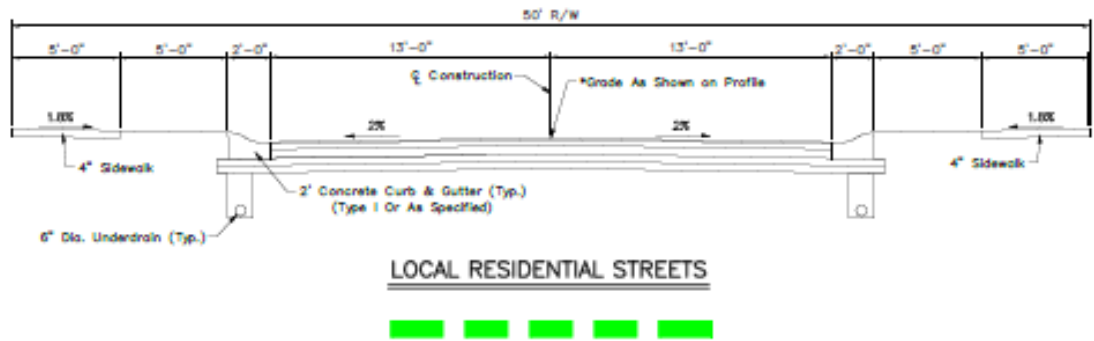
- d. Landscaping shall be permitted within center medians and islands.
- e. Any landscaping permitted within the right-of-way will be the responsibility of the HOA to maintain.

SECTION 4 – PUBLIC IMPROVEMENTS

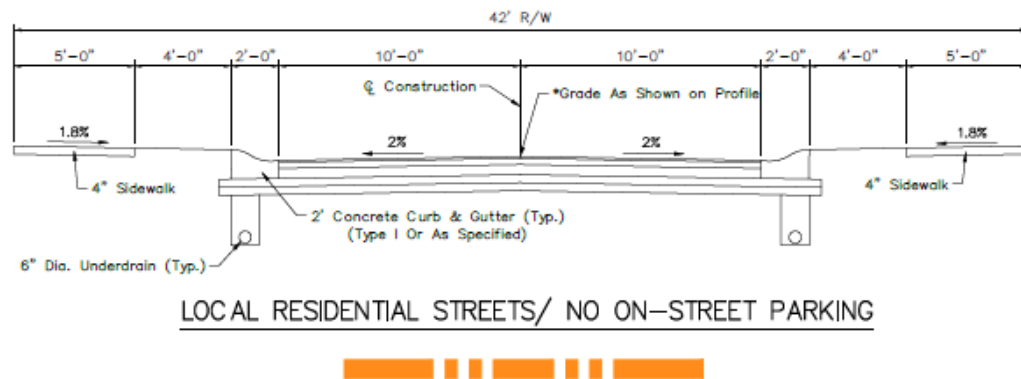
4.1 STREET & PEDESTRIAN DESIGN/CONNECTIVITY

A. Internal Streets.

- 1. Notwithstanding anything in the PZO or the SCO to the contrary, the public right-of-way for the streets depicted in green in Exhibit G will meet the following cross-section:



- 2. Notwithstanding anything in the PZO or the SCO to the contrary, the public right of way for the streets depicted in orange in Exhibit G will meet the following cross-section:

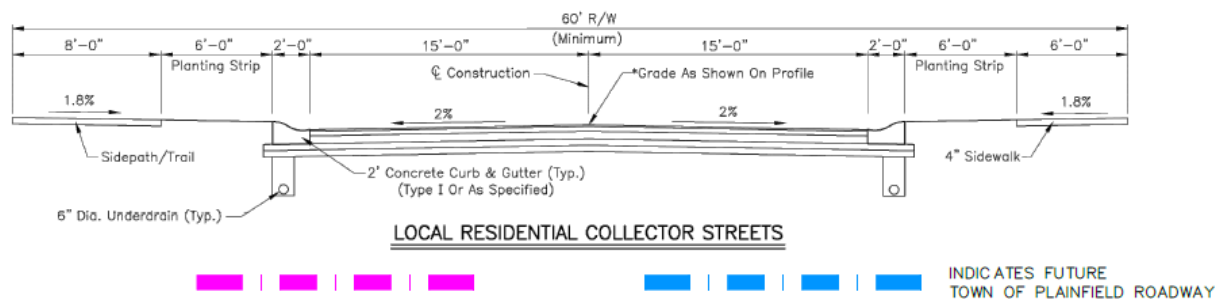


Streets with reduced right-of-way per this cross-section shall not allow on-street parking. Moreover, the covenants, conditions, and restrictions for the Community shall vest enforcement powers in the HOA, in addition to the Town.

3. Notwithstanding anything in the PZO or the SCO to the contrary, including Section 3.3 (C) Table 3.3-A: Minimum Standards for Streets in the SCO, a minimum centerline curve radius of 50 feet is permitted.

B. Sidewalks. Each residence shall include a sidewalk of a minimum width of three (3) feet from the front door/porch to the public walk. The sidewalk may include connecting walkways with the driveway to facilitate pedestrian movements but shall otherwise remain separate from the driveway.

C. Local Residential Collectors. The developer will construct so much of the Local Residential Collectors as identified in purple on Exhibit G. Notwithstanding anything in the PZO or the SCO to the contrary, the public right of way for the segment of the Local Residential Collectors in Exhibit G will meet the following cross-section:



D. Future Segments of Local Residential Collectors. Right-of-way for future segments of the Local Residential Collector depicted in gray on Exhibit G attached hereto shall be dedicated to the Town as relevant sections of the Community are platted. Said right-of-way will be cleared and graded by the developer but need not be further improved by the developer. The developer shall receive a dollar-for-dollar credit against the Town of Plainfield Road Impact Fees for the amount of the actual costs incurred in planning, financing, and construction any improvements it may make with regard to the future road segments, including, without limitation, the clearing and grading required pursuant to this Section 4.1.C. The developer will post signage at the locations indicated by the red dots on Exhibit G that the right-of-way is intended for future road connections.

4.2 STREET LIGHTING. Street lighting shall be permitted at entrances into the subdivision. Additional lighting may be erected throughout the community as required by the SCO and Town of Plainfield Construction Standards and Specifications for streetlights. The cost of all street lighting shall be paid by the HOA.

4.3 SECONDARY MEANS OF ACCESS.

A. Secondary Access to the Subdivision. A temporary emergency access on to US-40

shall satisfy the requirements of Article 3.3, Section 4.a. of the SCO relating to secondary access to the subdivision. This temporary emergency access on US-40 shall be maintained as an access point until either 1) a second permanent access point is constructed on US-40 or 2) a second access point is constructed on the future road along the western perimeter, whichever is constructed first, after which time, the temporary emergency access point may be abandoned and/or developed as an additional lot.

B. Remote Secondary Access. Article 3.3, Section 4.c. of the SCO shall not apply.

SECTION 5 – SIGN REGULATIONS

5.1 INTENT AND APPLICATION

A. Intent. This Article shall hereinafter be known and cited as the “Sign Regulations.” The *Sign Regulations* are intended to:

1. Ensure that *Signs* may be used to exercise the constitutional right to free speech;
2. Encourage *Signs* that are integrated with and harmonious with their environment;
3. Eliminate *Signs* that are excessive, cluttered, and confusing;
4. Eliminate *Signs* that are hazardous to motorists and pedestrians;
5. Support land use objectives of the Town of Plainfield;
6. Preserve and improve the aesthetic appearance of, property values within, and public and private economic investment in the Town of Plainfield; and
7. Otherwise protect and promote the public health, safety, morals, and general welfare of the visitors and residents of the Town of Plainfield.
8. The *Sign Regulations* apply to the location, installation, and maintenance of *Signs* in the *District* regulated by this Westlyn PUD Ordinance.

B. Examples Shown. Examples shown in the Westlyn PUD Ordinance are only an illustration of type, not an exhaustive list. They are meant to convey a concept and may not be fully compliant with the Westlyn PUD Ordinance.

5.2 GENERAL SIGN REGULATIONS

A. Sign Package. All *Signs* shall be designed to create a unified and consistent *Sign* package for a development. Elements of a unified and consistent *Sign* package include:

1. Type of Sign – A *Sign* package shall specify the *Ground Signs* proposed, and the type of *Building Signs* proposed (e.g., individual letters, raceway mount, box, painted, etc.);
2. Materials (e.g., limestone base with bronze letters, routed aluminum cabinet with plexiglass face, etc.);

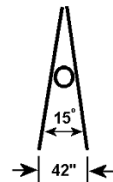
3. Size and Proportion of *Signs* (e.g., maximum height, maximum width, maximum *Sign Surface Area*, etc.);
4. Style and Color (e.g., style and color palette for letter colors, background colors, and text font); and,
5. Illumination (e.g., internally illuminated, or external illumination with similar type outdoor light fixture).

B. Maintenance of *Signs* and Areas Around *Signs*

1. Maintenance of *Signs*. Nothing contained in this Westlyn PUD Ordinance shall be construed to prevent the maintenance, repainting or posting of legally established *Signs*. Maintenance may include the replacement of *Sign Surfaces* within a *Sign Structure* provided that the *Sign Structure* is not removed or changed in any dimension.
2. Maintenance of Areas around *Signs*. No person, for the purpose of increasing or enhancing the visibility of any *Sign*, shall damage, trim, destroy, or remove any tree, shrub or other vegetation located in any area where such trees or shrubs are required to remain under a permit issued under this Westlyn PUD Ordinance.

C. Calculation of Height and *Sign Surface Area*

1. *Ground Sign*. See Section 5.5.A
2. Multi-Faced *Signs*. The *Sign Surface Area* of a *Sign* with more than one (1) face shall be computed by adding together the *Sign Surface Area* of all *Sign* faces visible from any one point. When two (2) *Sign* faces are placed back to back, or at no greater than fifteen (15) degrees from one another, so that both faces cannot be viewed from any point at the same time, and when such *Sign* faces are part of the same *Sign Structure* and are not more than forty-two (42) inches apart, the *Sign Surface Area* shall be computed by the measurement of one (1) of the *Sign* faces.



D. Illuminated *Signs*.

1. *Signs* in the *District* shall not exceed a light output of 100 nits during nighttime hours.
2. *Signs* shall have a functioning ambient light monitor and automatic dimming equipment.

5.3 EXEMPT SIGNS. Unless otherwise stated, the following items are exempt from the Sign Regulations and all other Articles of this Westlyn PUD Ordinance, with the exception of Section 3.7.

- A. Public Health, Safety, and Welfare *Signs*.** *Signs* authorized by a government or governmental unit which give traffic, directional, or warning information; *Signs* of

public service companies indicating danger; and *Signs* erected by, or on the order of, a public officer in the performance of their public duty which aide service or safety.

- B. Private Signs for the Public.** *Signs* containing two (2) square feet or less in Sign Surface Area.
- C. Interior Signs.** *Signs* located within the interior of any *Building* (i.e., an inner or outer lobby, court or entrance), which are not viewable or intended to be viewable from the Public *Right-of-Way* and do not qualify as *Window Signs*.
- D. Window Signs.** *Window Signs*, provided that they shall not exceed twenty-five (25) percent of the surface area of the window on which such *Signs* are placed or through which such *Signs* are viewed, provided, in the case of multi-pane windows, the surface area of the window shall be the combined surface area of the individual panes or, in the case of a glass curtain wall, the surface area of the window shall be the combined surface area of the individual glass panels. Any portion of a *Window Sign* that exceeds twenty-five (25) percent shall count against the permitted building sign allowance.
- E. Commemorative and Monumental Signs on Buildings.** *Signs* which are carved into stone, concrete, or similar material or are made of bronze or aluminum and are made an integral part of the *Building*.
- F. Architectural Features of Buildings.** Integral, decorative, or architectural features of *Buildings* which do not contain letters, logos, lighting, or trademarks.
- G. Symbols of a Nation, State or Political Subdivision.** *Flags, pennants, emblems, and insignia* of a nation, state, or political subdivision. These *flags, pennants, emblems, and insignia* must comply with the setback requirements for *Signs*. There is no height limit for flagpoles so long as the distance from the nearest property line exceeds the height of the flagpole.
- H. Temporary Signs.** A temporary marketing signage package as depicted in Exhibit F hereof is hereby approved for the PUD.
 - 1. Minimum *Setback* from *Proposed Right-of-Way*. *Temporary Signs*:
 - a. May not interfere with a Vision Clearance Area as specified in Article 4.14; and,
 - b. Must be set back from the *Proposed Right-of-Way* a distance equivalent to the height above grade.
 - 2. No *Temporary Sign* shall be permitted on any *Lot* without the prior authorization of the owner of that *Lot*.

5.4 PROHIBITED SIGNS

- A.** *Signs* which interfere, obstruct, or cause confusion in connection with any:
 - 1. Authorized traffic signal, device, or *Sign*;
 - 2. *Signs* listed in Section 5.3.A;

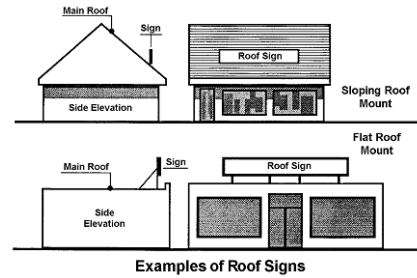
3. Vision Clearance Areas as specified in Section 3.7.

B. Signs located on, in, or above the *Right-of-Way* of any Street or Alley.

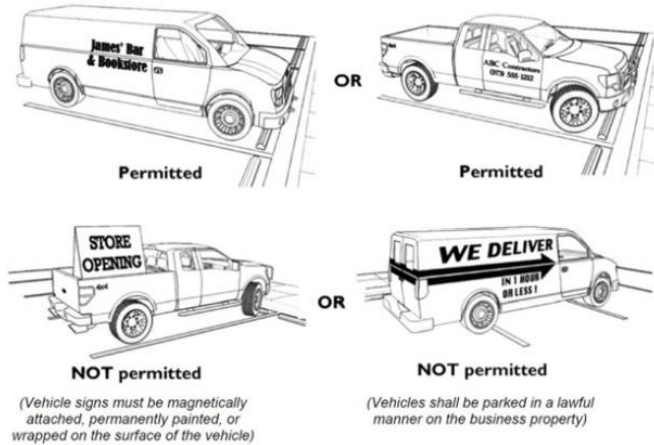
C. Signs erected on or wholly constructed upon a roof of any Building and supported solely on the roof Structure.

D. *Portable Signs*, including but not limited to the following types of *Signs*, without regard to their content:

1. trailer frame *Signs*;
2. menu and sandwich board *Signs*;
3. *Balloon Signs*
4. *Signs* attached to or painted on a *vehicle* or *truck* parked and visible from the Public *Right-of-Way*, except as detailed below.



- a. No Sign shall be erected or attached on any *vehicle* or *truck* except for signs that are magnetically attached to, permanently painted, or wrapped on the side of a vehicle.
- b. The primary use of such *vehicles* or *trucks* shall be in the operation of the business (e.g. transporting goods or providing services) and not in displaying a sign.
- c. *Vehicles* or *trucks* shall be operable and properly licensed.
- d. When not in use, the *vehicle* or *truck* must be parked in a lawful manner on the business property.



E. *Wind Signs*, *Banner Signs*, *Banners*, pennants, and streamers, except temporary signage depicted in Exhibit F.

F. *Signs* or any portion thereof which contain intermittent light, flashing light, light of changing degrees of intensity, rotating beams, search lights, video or logo projection, laser show, or beacons. Outline lighting of open sales areas and *Lot Lines* is also prohibited.

- G. *Signs* or any portion thereof which moves or assumes any motion or gives the illusion of moving, including *Changeable Copy Signs* on which the message changes more than once every ten (10) seconds.
- H. *Signs* that bear or contain statements, words or pictures of an obscene, pornographic, immoral character, or which contain advertising matter which is untruthful or will offend public morals or decency.
- I. *Signs* on canopies
- J. *Off Premise Signs*
- K. *Building Signs*
- L. *Changeable Copy Signs*
- M. *Suspended, Projecting, Awning, and Marquee Signs*

5.5 GROUND SIGNS

A. Calculation of Height and Sign Surface Area. If a *ground sign* sits on an ornamental or decorative base of brick, stone or other similar material, that base shall not exceed fifteen (15) feet, six inches in height above grade.

1. *Sign Height.* The height of a ground sign shall be measured from grade, which shall include the finished surface of the ground five (5) feet from the base of the *sign*, to the highest point of the *sign*.
2. *Sign Area.* The *sign surface area* of a *ground sign* shall be the smallest rectangle that can encompass all items of information or the sign face, outside of support structures, whichever is applicable. The *sign* base shall not be included in the overall calculation of *Sign Surface Area*, provided that no lettering, logo, text or other display of any kind shall be allowed on such base (except for information placed in compliance with Fire Code requirements).
3. Notwithstanding anything in this Section 5.5 to the contrary, entrance monumentation with similar or like scale, materials, font, and lettering size as that depicted on Exhibit H attached hereto and incorporated by reference herein shall be permitted

B. Number and Size of Signs.

1. Two ground signs shall be permitted per entrance, but no more than one sign per side of the entrance.
2. The maximum sign surface area per sign shall be sixty (60) square feet.

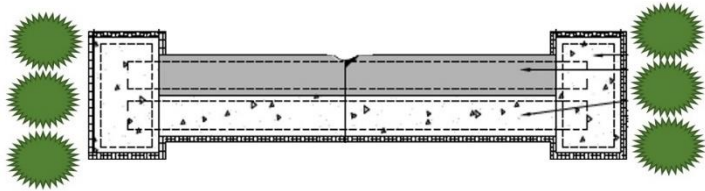
C. Minimum Setback in Feet from Proposed Right-of-Way

1. *Signs* located within easements to the *Town of Plainfield* must obtain an Easement Encroachment approval from the *Technical Advisory Committee* prior to permit issuance.

2. *Ground Signs* must not interfere with a Vision Clearance Area as specified in Article 3.7.

D. Landscaping of *Ground Signs*. The intent of *ground sign* landscaping is to shield from view any electrical or other mechanical panels, as well as to accentuate or compliment the sign.

1. All *Ground Signs* shall require evergreen shrubs sufficient to block any electrical panels or other mechanical panels.



2. Landscaping may include any size or variety of annuals, perennials, ornamental grasses, Hedge Plants, or trees.
3. Plant materials used to satisfy this provision shall not be used to satisfy the calculation of *Plant Unit Value* required by any other provision of this Westlyn PUD Ordinance.

E. *Ground Signs* are *Accessory Structures*.

SECTION 6 – COMMUNITY AMENITIES

6.1 In addition to the open space features and trail network, the District shall also include the following amenities:

- A. A pool with pool house
- B. Two (2) play structures.
- C. A minimum of two (2) of the following game courts:
 1. Two (2) half basketball courts
 2. Tennis court
 3. Pickleball court
 4. Bocce ball court
 5. Frisbee/Disc golf course (min. three (3) targets/goals)

SECTION 9 – PROCESS AND PROCEDURES

9.1 ORDINANCE APPROVAL.

This Westlyn PUD Ordinance shall become effective after its approval by the Town Council. The Zoning Map shall be amended accordingly. The use and development of the property shall thereafter be governed by this Westlyn PUD Ordinance, as amended, subject to review and approval of subsequent permits and approvals as required by the Town Code, and any other regulatory processes which may be required prior to commencement of construction within the District.

A. Duration of Approval. Assuming no extensions of approval (See Section 9.1.B), the following shall apply.

Type of Approval	PUD Ordinance	Final Detailed Plan
Definition of Expiry	Failure to start construction	Failure to start construction
Time to Expiry	5 years from Effective Approval (See 6.1F.2)	3 years from Plan Commission Approval or Expiration of Building Permit (whichever is later)
What has Expired	PUD Ordinance, Preliminary Plan, Concept Plan (<i>note: the parcel(s) remain zoned PUD</i>)	Final Detailed Plan
Approvals required for reestablishment	PUD Ordinance, Preliminary Plan, and Concept Plan	Final Detailed Plan

B. Extension of Approval

1. By Director. One-time extension of up to a maximum two (2) years may be granted from the date of expiration of the Westlyn PUD Ordinance by the Director when extenuating circumstances can be clearly shown by the petitioner. The request for same shall be submitted to the Director in writing prior to the expiration date and shall clearly state the reasons why construction has not commenced.
2. By Plan Commission. The Commission may grant additional time extensions if there have not been changes adopted to the Comprehensive Plan and zoning regulations that would impact the Westlyn PUD Ordinance.

9.2 PROCEDURE FOR AMENDMENT.

- A.** Standing for initiation of Amendment. In addition to the property owner(s), the Plan Commission or the Town Council shall have the standing to initiate a change or amend this Westlyn PUD Ordinance.
- B.** The procedure for amending this Westlyn PUD Ordinance (text amendment) shall be the same as the procedure for the adoption of this Westlyn PUD Ordinance. Changes that shall require an amendment to this Westlyn PUD Ordinance include changes which alter the Concept Plan, Preliminary Architectural Plans or intent of the District, as determined by the Director, which shall include but are not limited to:
 1. Significant changes in density or intensity.
 2. Changes in the proportion or allocation of land uses.
 3. Changes in the list of approved uses.
 4. Changes in the locations of uses outside of the parameters set forth by this Westlyn PUD Ordinance.
 5. Changes in functional uses of Open Space, where such change constitutes an intensification of use of Open Space.
 6. Changes in the Concept Plan such that it creates a conflict with the intent of this Westlyn PUD Ordinance established with the original Concept Plan.

9.3 FINAL DETAILED PLAN

A. Requirements. At a minimum, the following plans and documents are required:

1. Site Plan. Requirements:

Information Required for Site, Overall, Landscape, and Lighting Plans				
	Site	Overall	Landscape	Lighting
Scale of not more than one (1) inch equals one hundred (100) feet	X	X	X	X
Address of the site;	X	X	X	X
Boundary lines of the site including all dimensions of the site;	X	X	X	X
North arrow and scale;	X	X	X	X
Proposed name of the development;	X	X	X	X
Sidewalk plan or alternate plan for pedestrian ways;	X	X	X	
Location of all floodway and floodway fringe areas within the boundaries of the site;	X	X	X	
All improvements to street system on-site and off-site;	X	X		
Area map insert showing the general location of the site referenced to major streets and section lines;	X	X		
Areas reserved for park, recreation, conservation, wetland, common area, lake or other similar uses;	X	X		
Building elevations, including building materials and colors; and	X	X		
Legal description of the real estate;	X	X		
Location and name of all existing and proposed public or private streets, access easements and rights-of-way within 200 feet of the real estate;	X	X		
Location of all existing and proposed utility facilities and easements, including, but not limited to sanitary sewer, water, storm water management, electric, gas, telephone and cable;	X	X		
Location, dimensions, and type (e.g. ground, pole, wall) of all signs on the site. Include separate elevations of proposed sign structures with all dimensions drawn to scale;	X	X		
Names, centerlines and right-of-way widths of all streets, alleys and easements;	X	X		
Distance of all structures from front, rear and side lot lines. (This distance is measured as a line from the point where the structure is closest to the lot line. This line is perpendicular to the lot line);	X			
Layout, number and dimension of all lots and out lots with zoning setback lines or building setback lines;	X			
Location and dimensions of all proposed structures, including paved areas, and indicated by cross-hatching;	X			
Location of any proposed or existing driveway and its width at the lot line. (Any connection to an alley must also be indicated);	X			
Location, size and species of all proposed and existing trees over six inches in caliper at four and one-half feet above grade and all proposed and existing landscaping;	X			
Measurement of curb radius and/or taper;	X			
Names of legal ditches and streams on or adjacent to the site;	X			
Structures proposed for demolition should be indicated as such;	X			
Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - number of parking spaces required and provided, residence - number of dwelling units per acre, office - gross floor area);	X			
All existing elevations and proposed land contour lines having at least two-foot intervals;			X	
Description of methods to preserve trees without injury and with sufficient area for the root system to sustain the tree;			X	
Description of protective care and physical restraint barriers at the drip line to prevent alteration, compaction or increased depth of the soil in the root system area prior to and during groundwork and construction; and			X	
Outline of all existing or proposed buildings or structures, including parking and loading areas;			X	
Size, species and spacing (on center) of all proposed trees, landscaping and ground cover;			X	

Survey of existing trees in required yards and required bufferyards, indicating exact location or existing trees over six-inch caliber at four and one-half feet above grade and all flowering trees, shrubs and evergreens over six feet in height;			X	
The location of any existing or proposed freestanding signs;			X	
If architectural building lighting is proposed, elevations for each facade of the building indicating the location, type and intensity of lighting on each building facade and the intensity of such lighting at the lot line measured in footcandles.				X
Intensity of lighting at base of light structure and at the lot line measured in footcandles; and				X
Location and dimensions of all existing structures, parking areas and walkways;				X
Type and location of all exterior of lighting fixtures, including, wattage and type of light;				X
Any other information requested in writing by the Plan Commission or Director.	X	X	X	X

2. Overall Plan (for requirements, see *Section 9.1.A.1*)
3. Landscape Plan (for requirements, see *Section 9.1.A.1*)
4. Lighting Plan (for requirements, see *Section 9.1.A.1*)
5. Building Elevations. Requirements:

	Building Elevations	Sign Plan
Drawn to scale	X	X
A separate true color rendering of the proposed building, including any proposed wall sign;	X	X
Address of the site;	X	X
Proposed name of the development;	X	X
Scale;	X	X
Details of any exterior architectural lighting proposed on or around the building; and	X	
Elevations for each facade of the building;	X	
Placement, size, color and illumination details for any proposed wall sign;	X	
Specification or sample of the type and color of building materials to be used for all wall, window, roof and other architectural features;	X	
A site plan indicating the location of any building upon which a sign is to be mounted, with the location of the signs indicated;		X
A site plan indicating the location of any existing or proposed freestanding signs;		X
A true color rendering of the proposed signs;		X
Elevation of proposed signs including size, materials and color;		X
Illumination details for proposed signs;		X
Placement, size, color and illumination details for any proposed wall sign; and		X
Any other information requested in writing by the Plan Commission or Director.	X	X

6. Sign Plan (for requirements, see *Section 9.1.A.5*)

B. Approval

1. Findings. The Plan Commission must approve a final detailed plan upon a finding that:
 - b. The Final Detailed Plan satisfies the Development Requirements and Development Standards specified in this Westlyn PUD Ordinance;

- c. The Final Detailed Plan accomplishes the intent set forth in Article 6.1A of the PZO;
 - d. The Final Detailed Plan provides for the protection or provision of the site features and amenities outlined in Article 6.1C.2 of the PZO.
2. Commitments, Conditions and/or Surety. The Plan Commission and/or Town Council may permit or require the following:
- a. Commitments. The Plan Commission may require or permit the owner of a parcel of property to make written commitments concerning the use or development of the subject property in connection with the recommendation of approval of a PUD or a final detailed plan approval.
 - b. Conditions. Conditions may be imposed on the approval of a PUD District which are reasonably necessary to ensure compliance with the permitted use, development requirements, development standards and other minimum requirements of this Westlyn PUD Ordinance.
 - c. Surety. Bonds or other written assurance may be required which are reasonably necessary to guarantee the timely completion of a public improvement required by this Westlyn PUD Ordinance. Such bond or other written assurance shall be of a form and substance approved by the Town.

SECTION 10 – DEFINITIONS

10.1 INTERPRETATION OF TERMS OR WORDS. The language of this Westlyn PUD Ordinance shall be interpreted in accordance with the following regulations:

- A.** The word “person” includes a firm, association, organization, partnership, trust, limited liability company, corporation, or other legal entity, as well as an individual;
- B.** The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular, in each case, if the context so requires;
- C.** The word “shall” is mandatory, the word “may” is permissive;
- D.** The words “used” or “occupied” include the words “intended”, “designed”, “constructed”, “altered”, or “arranged” to be used or occupied;
- E.** The word “lot” includes the words “plot”, “tract” or “parcel”;
- F.** Where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and”, “or” or “either ... or”, the conjunction shall be interpreted as follows:
 - 1. “And” indicates that all the connected items, conditions, provisions or events shall

- apply;
- 2. “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination; and
- 3. “Either ... or” indicates that all the connected items, conditions, provisions or events shall apply singly but not in combination.

G. The terms “more intense” and “less intense” are terms used herein to describe relationships between particular zoning districts. This relationship is based upon the uses permitted within each district. A “more intense” district permits more uses or a greater density of uses than a “less intense” district. District intensity groupings progress from agricultural, to residential, to commercial, to industrial districts, in the sequence listed within each group of districts from least intense to the most intense.

13.2 DEFINITIONS. The following terms or words used in the text of this Westlyn PUD Ordinance shall have the following meanings, unless a contrary meaning is:

- A.** Required by the context of a particular sentence or phrase; or
- B.** Specifically prescribed in a particular sentence or phrase.

ACCESS. The way in which vehicles ingress and egress a lot from a street fronting along said lot.

ACCESS DRIVE. That area within the right-of-way between the pavement edge or curb and the right-of-way line to provide ingress and egress to and from a lot.

ACCESSORY (STRUCTURE, BUILDING OR USE). A subordinate structure, building or use that is customarily associated with, and is appropriately and clearly incidental and subordinate in use, size, bulk, area and height to the primary structure, building, or use, and is located on the same lot as the primary building, structure or use.

ALLEY, PRIVATE. A privately held right-of-way for public use as a secondary means of public access to a lot otherwise abutting upon a public or private street and not intended for traffic other than public services and circulation to and from said lot.

ALLEY, PUBLIC. Any public right-of-way which has been dedicated or deeded to and accepted by the public for public use as a secondary means of public access to a lot otherwise abutting upon a public street and not intended for traffic other than public services and circulation to and from said lot.

ANTENNA. A device that is designed to receive:

- a. Direct broadcast satellite service, including direct-to-home satellite services;
- b. Video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services and local multipoint distribution services; or
- c. Television broadcast signals.

ANTENNA. Any communications equipment that transmits or receives electromagnetic radio signals used in the provision of wireless communications service.

ANTENNA ARRAY. A structure attached to a telecommunications tower that supports a telecommunications antenna.

ANTENNA, RADIO/TELEVISION. A wire or combination of wires and support structures designed for directly transmitting electric waves (broadcast radio or television) into space or receiving them therefrom.

ANTENNA, SATELLITE DISH. A dish shaped device which may be free standing or mounted on a building or structure and is designed to receive direct broadcast satellite service.

ARTIFICIAL LAKE. Either:

- a. An artificially created body of water which is not required in connection with a storm water management system; or
- b. That portion of an artificially created body of water developed in connection with a storm water management system which exceeds the capacity required to manage the 100-year storm event.

ASSEMBLY. The fitting together of previously manufactured parts or sub-assemblies, that do not require additional manufacturing or machining, into a finished item or unit.

AUTHORIZED AGENT. Any party duly authorized in writing by the owner of a subject parcel to act on the owner's behalf with respect to a petition for zone map change, subdivision plat, development plan approval or vacation of land.

AWNING. A roof-like cover, often of fabric, metal, plastic, fiberglass or glass designed and intended for protection from the weather or as a decorative embellishment, and which is supported by and projects from a wall or roof of a structure over a window, door, walk or the like.

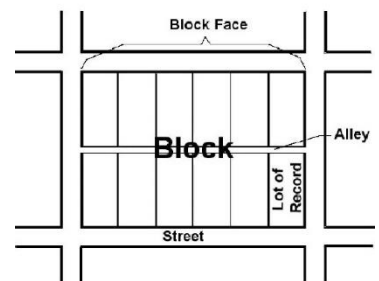
BANNER. A temporary sign of lightweight fabric or similar material mounted to a pole or building at one or more edges. Flags of any governmental or political unit shall not be considered **BANNERS**.

BASE STATION. A station located at a specific site that is authorized to communicate with mobile stations. The term includes all radio transceivers, antennas, coaxial cables, power supplies, and other electronics associated with a station.

BASEMENT. That portion of a building with an interior vertical height clearance of not less than 78 inches and having one-half or more of its interior vertical height clearance below grade level.

BICYCLE PARKING AREA. An area designated for the sole purpose of parking bicycles by means of a bicycle rack, bicycle loops or other device as approved by the Director. This area can be either indoor or outdoor but shall not be placed so that it obstructs or impedes a pedestrian way.

BLOCK. A tract of land bounded by streets, or by a combination of



Block and Block Face

streets and public parks, cemeteries, railroad rights-of-way, shorelines or municipal boundary lines.

BLOCK FACE. The frontage of a block, which may contain one or more lots, along one side of a public or private street between intersections.

BOARDING HOUSE. A building or part of a building, other than hotels, motels, restaurants, bed and breakfast, or multi-family dwellings, containing accommodation facilities in common where lodging, typically with meals reserved solely for the occupants thereof, is provided for a fee.

BUILDING. Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any kind or nature.

BUILDING HEIGHT, MAXIMUM. See **MAXIMUM BUILDING HEIGHT.**

BUILDING LINE. A line parallel to any front, side or rear lot line which passes through the nearest point of any building or structure.

BUILDING LINE, FRONT. A line parallel to any front lot line which passes through the nearest point of any building or structure and terminates at the point of contact with any side lot line.

BUILDING LINE, REAR. A line parallel to any rear lot line which passes through the nearest point of any building or structure and terminates at the point of contact with any side lot line.

BUILDING LINE, SIDE. A line parallel to any side lot line which passes through the nearest point of any building or structure and terminates at the point of contact with any front or rear lot line.

BUILDING PERMIT. A permit issued by the town in compliance with the terms and provisions of the Town Building Code.

BUSINESS DAY. A day when the offices of the Department of Planning and Zoning of the town are open to the public for the transaction of business for the entire period of its normal operating hours.

CANOPY. A roof-like cover, often of fabric, metal, plastic, fiberglass or glass on a support, which is supported in total or in part, from the ground and providing shelter over, for example, a doorway, outside walk, interior access drive or parking area.

CARPORT. A roofed structure designed and intended to shelter the automotive vehicle of occupant or owner of the premises, with at least one side open to the weather.

CERTIFICATE OF ZONING COMPLIANCE. A certificate signed by the Director of the Department of Planning and Zoning stating that the occupancy and use of land or building or structure referred to in the certificate complies with the provisions of the Zoning Ordinance, Subdivision Control Ordinance, variance, special exception or development plan approval.

CHILD CARE. A service that provides for the care, health, safety, and supervision of a child's social, emotional, and educational growth. (For reference, see I.C. 12-7-2.)

CHILD CARE HOME.

- a. A residential structure in which at least six children (not including the children for whom the provider is a parent, stepparent, guardian, custodian or other relative) at any time receive childcare from a provider:
 1. While unattended by a parent, legal guardian or custodian;
 2. For regular compensation; and
 3. For more than four hours but less than 24 hours in each of ten consecutive days per year, excluding intervening Saturdays, Sundays and holidays.
- b. This term includes a ***CLASS I CHILD CARE HOME*** (that serves any combination of full-time and part-time children, not to exceed 12 at any one time) and a ***CLASS II CHILD CARE HOME*** (that serves more than 12 children but no more than any combination of 16 full-time and part-time children at any one time). (For reference, see I.C. 12-7-2.)

COMPREHENSIVE PLAN. The Plainfield Comprehensive Plan approved by the Plan Commission and the Town Council pursuant to I.C. 36-7-4-500 et seq.

CONCEPT PLAN. An informal plan, which may include site, landscape, building elevations and material, sign or lighting information, intended to convey the scope, content and nature of a proposed development, but lacking sufficient detail to determine compliance with the provisions of this Westlyn PUD Ordinance.

DECK. A ground-supported, unenclosed, platform accessory structure, usually constructed of wood, of which any permanent horizontal area(s) of the platform is raised above grade level and is designed and intended for the recreational enjoyment of the occupant(s) and guest(s) of the primary use or structure.

DENSITY, GROSS. A unit of measurement which represents the number of units per acre of land on the aggregate total land to be developed, excluding any portion of the total land:

- a. Located in the right-of-way of a perimeter street;
- b. Located within a floodway; or
- c. Required for storm water management.

DEVELOPED RECREATIONAL OPEN SPACE. The total horizontal area of those portions of a lot which are located outside of any required yard and which are set aside and developed for the recreational use and enjoyment of all residents of a project.

DEVELOPMENT PLAN. Specific plans for residential, commercial, or industrial development of property setting forth certain information and data as required by this Westlyn PUD Ordinance.

DEVELOPMENT REQUIREMENTS. Development standards plus any additional requirements specified in this Westlyn PUD Ordinance which must be satisfied in connection with the approval of a development plan.

DEVELOPMENT STANDARDS. Area, bulk, height and other applicable regulations of a zoning district contained in the Westlyn PUD Ordinance which govern the physical development of real estate.

DIRECTOR. The Director of the Department of Planning for the Town of Plainfield.

DISTRICT. The Property comprising the Westlyn PUD and governed by this Westlyn PUD Ordinance.

DRAINAGE POND. An artificially created body of water which is required in connection with a storm water management system.

DRIVEWAY. Access for vehicular ingress/egress between the right-of-way of a public or private street and the minimum required setback line on a lot.

DWELLING. Any building, or portion of a building, which is designed or used primarily for residential purposes, including single-family, two-family and multi-family dwellings, but not including hotels, boarding houses, lodging houses and tourist dwellings.

DWELLING, MODULAR HOME. A dwelling unit which is fabricated in one or more modules at a location other than the home site, by assembly-line type production techniques or by other construction methods unique to an off-site manufacturing process, designed for residential occupancy; provided, that each module must bear the seal certified that it was built in compliance with Indiana Pub. L. No. 360; and provided further, that the unit must have been built in compliance with the CABO One- and Two-Family Dwelling Code.

DWELLING, SINGLE-FAMILY DETACHED. An individual, detached building containing one dwelling unit which is either:

- a. Built in compliance with the Indiana Residential Building Code;
- b. A modular dwelling; or
- c. A manufactured dwelling.

DWELLING UNIT. A room or group of rooms designed and equipped exclusively for use as living quarters for only one family and its household employees, including provisions for sleeping, lawful cooking and sanitary facilities. The term shall include mobile dwellings, modular dwellings and manufactured dwellings but shall not include recreational vehicles.

FAMILY. One or more human beings related by blood, marriage, adoption, foster care or guardianship, together with incidental domestic servants and temporary, non-compensating guests; or not more than four human beings not so related, occupying a dwelling unit and living as a single housekeeping unit.

FLOOR AREA.

- a. For single-family dwellings and two-family dwellings, the sum of all horizontal surface areas of all floors of all roofed portions of a building enclosed by and within the surrounding exterior walls or roofs, or the centerline(s) of party walls separating such buildings or portions thereof. The **FLOOR AREA** of a building shall exclude all areas with a vertical height clearance less than 78 inches, exterior open balconies and open porches.
- b. For multi-family dwellings, the sum of all horizontal surface areas of all floors of all roofed portions of all buildings enclosed by and within the surrounding exterior walls or roofs, or the centerline(s) of party walls separating such buildings or portions thereof.
- c. However, this shall not include the following:

1. All areas with a vertical height clearance less than 78 inches;
2. All exterior open balconies, and open porches;
3. Floor area or basement floor area devoted to off-street parking or off-street loading, including aisles, ramps and maneuvering space;
4. Floor area or basement floor area provided for recreational uses, available to occupants of two or more dwelling units within a project; or
5. Basement floor area provided for storage facilities, allocated to serve individual dwelling units with a project.

FLOOR AREA, FINISHED. That portion of floor area constructed, completed and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, sanitary or combination thereof. A floor area or portion thereof used only for storage purposes and not equipped with the facilities mentioned above shall not be considered **FINISHED FLOOR AREA**.

FLOOR AREA, GROSS.

- a. For dwelling units, the total area, computed on a horizontal plane inclusive of finished basements, attached garages, entrances, hallways, stairways and other enclosed areas, but exclusive of unfinished basements, cellars and attics.
- b. For commercial or industrial buildings or structures, the sum of all horizontal surface areas of all floors of a building or structure measured from the exterior faces of the exterior walls or from the centerline of walls separating abutting buildings or structures.

FLOOR AREA, MAIN. That portion of the finished floor area located on the first floor of the dwelling unit.

FRONTAGE. The line of contact of an abutting property with the street right-of-way along a front lot line.

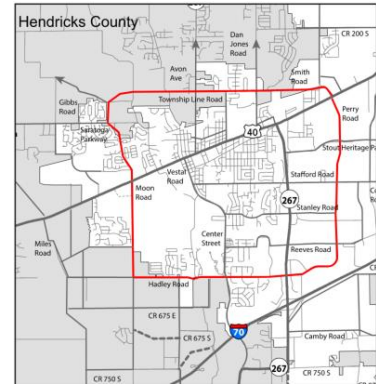
GAME COURT. In residential districts, a type of recreation facility which consists of an unpaved or paved, accessory, surface area of ground open and essentially unobstructed to the sky, on the same lot as the primary structure, designed and intended for the playing of a recognized sport as an accessory, recreational activity by the occupants and guests of the primary structure, which may include fencing, screening, nets, goals or other necessary appurtenances required for recreational use.

GARAGE. An accessory building to a residential use, or an enclosed area attached to or integrated into a residential building, which is primarily designed and intended to be used for the storage of the private vehicle(s) for the occupant(s) of said residence and is not a separate commercial enterprise available to the general public.

GARAGE SALE. A public or private sale conducted by the owner or occupier of a premises of six or more items of personal property owned by the owner or occupier of the premises, which personal property was not acquired by the owner or occupier for the purpose of resale.

GATEWAY CORRIDOR. All land areas lying within the corporate limits of the town which are within 600 feet of the right-of-way of the following street segments:

- a. SR 267 (Quaker Boulevard), from the south right-of-way of U.S. 40 to the southern corporate limits of the town;
- b. I-70, from the eastern corporate limits of the town to the western corporate limits of the town;
- c. U.S. 40, from the eastern corporate limits of the town to the western corporate limits of the town;
- d. Stafford Road, from the eastern right-of-way line of SR 267 (Quaker Boulevard) to the eastern corporate limits of the town;
- e. Ronald Reagan Parkway, from the northern corporate limits of the town to the southern corporate limits of the town;
- f. Perimeter Parkway (as shown below), entire length; an
- g. Stout Heritage Parkway from the eastern right-of-way of SR 267 (Quaker Boulevard) to the western right-of-way of Ronald Reagan Parkway.



Perimeter Parkway (in red)

GRADE. The average level of the finished surface of the ground five feet from the building, structure or proposed building pad; provided, however, for the purposes of the Town Subdivision Control Ordinance, the term **GRADE**, when referring to **STREET GRADE** shall mean the slope of a street specified in percentage (%) terms.

HEDGE PLANT. A woody plant of relatively low height (not exceeding ten to 12 feet in height), branching from the base.

HOA. The Home Owner’s Association to be formed for the Community.

HOME OCCUPATION. An occupation or business activity carried on within a legally established dwelling unit by a resident of said dwelling, where the occupation or business activity:

- a. Is clearly incidental and subordinate to the residential use;
- b. Does not alter the interior or exterior residential character of the dwelling unit;
- c. Is carried on within the principal building and only by members of the family occupying the premises; and
- d. Does not include any outdoor storage or activities other than receipt or delivery associated with the business activity.

IMPROVEMENT. Any human-made, immovable item which becomes part of, placed upon, or is affixed to real estate.

IMPROVEMENT LOCATION PERMIT. A permit stating that the proposed erection, construction, enlargement or moving of a building or structure, and uses thereof, complies with the provisions of the Zoning Ordinance and the Subdivision Control Ordinance.

INCIDENTAL. A minor occurrence or condition which is customarily associated with a permitted use and is likely to ensue from normal operations.

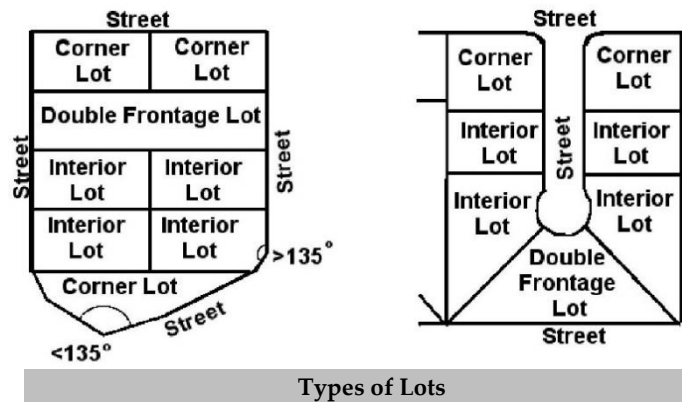
LAWFUL COOKING. A room or area in which food may be prepared and cooked and which contains the following:

- a. A kitchen sink in good working condition and properly connected to an approved water supply and approved sewer/septic system. The sink must provide an adequate amount of

- water under pressure, both unheated and heated to no more than 120°F;
- b. Cabinets, shelves, counters or tables used for storage of food, eating, drinking or cooking equipment and utensils shall be of sound condition furnished with surfaces that are easily cleanable and that will not impart any harmful effect to food; and
- c. A stove, oven or microwave oven for cooking food and a refrigerator for safe storage of food at temperatures less than 45°F. These appliances shall be properly installed with all necessary connections for safe, sanitary and efficient operation and shall be maintained in good working condition.

LOT.

- a. A piece, parcel, plot or tract of land designated by its owner or developer to be used, developed or built upon as a unit under single ownership or control and may consist of:
 - 1. A single lot of record;
 - 2. A portion of a lot of record; or
 - 3. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record.
- b. A **LOT** may or may not coincide with a lot of record. For purpose of this definition, the ownership of a **LOT** is further defined to include:
 - 1. The person(s) who holds either fee simple title to the property or is a life tenant as disclosed in the records of the Township Assessor; or
 - 2. A long-term lessee (but only if the lease is recorded among the records of the County Recorder and has a term (exclusive of non-exercised extensions and renewals) of at least 25 years remaining before its expiration at the time of applying for a permit).
- c. Provided, however, for the purposes of the Town Subdivision Control Ordinance, the term **LOT** shall mean that portion of a subdivision which is proposed to be recorded in the office of the County Recorder as a lot of record.



LOT AREA. The area bounded on all sides by the front, rear and side lot lines that is available for use or development and does not include any area lying within the right-of-way of any public or private street or easement for surface access into the subject lot or adjoining lots.

LOT, CORNER. A lot abutting two or more streets at their intersections, or upon two parts of the same street forming an interior angle of less than 135 degrees.

LOT COVERAGE. The total ground area within the lot or project covered by primary and accessory buildings, excluding open porches, balconies, canopies, and patio covers.

LOT DEPTH. The distance from the midpoint of the front lot line to the midpoint of the rear lot line.

LOT, DOUBLE FRONTAGE. A lot abutting two parallel streets or abutting two streets which do not intersect at the boundaries of the lot.

LOT, INTERIOR. A lot which is not a corner lot or a double frontage lot.

LOT LINE. The line of separation of a lot from any abutting street or adjoining lot, provided, however, for the purposes of the Town Subdivision Control Ordinance, the term **LOT LINE** shall mean the line of separation between a lot of record and any abutting street or adjoining lot of record.

LOT LINE, FRONT. The lot line separating a lot from any abutting street.

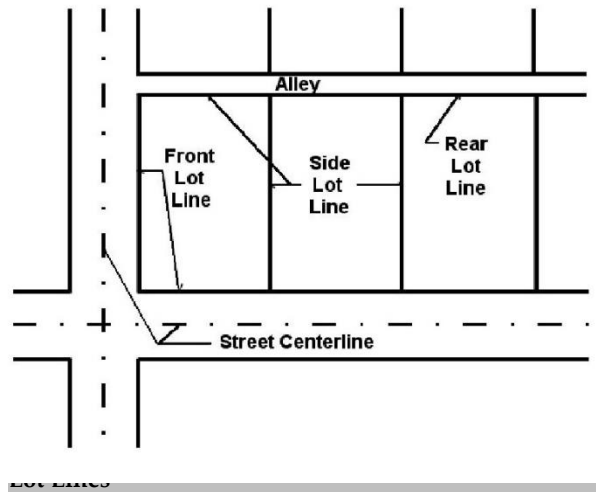
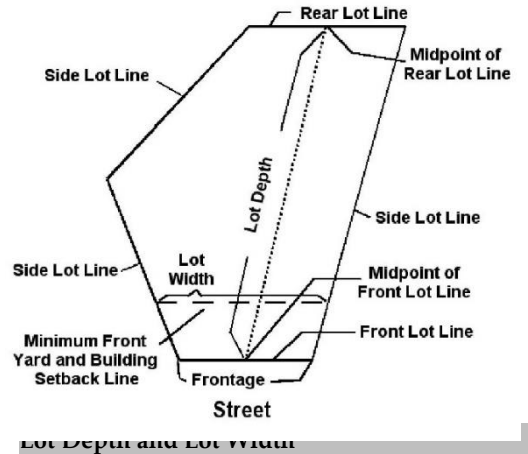
LOT LINE, REAR. A lot line which is opposite and most distant from the front lot line, or in the case of a triangularly shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. However, in the case of a corner lot, any lot line which intersects with a front lot depth and lot width lot line shall not be considered a **REAR LOT LINE**.

LOT LINE, SIDE. Any lot line not designated as a front or rear lot line.

LOT OF RECORD. A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT WIDTH. The full width of a lot measured along the minimum front yard and minimum building setback line required by this Westlyn PUD Ordinance.

MAINTENANCE BOND. A legally binding agreement whereby the subdivider posts a surety in a form acceptable to the Plan Commission for the maintenance of improvements, installations and lot improvements required by the Town Subdivision Control Ordinance, any other applicable ordinances of the town, and any requirements, covenants, conditions or commitments which may be imposed by the Plan Commission.



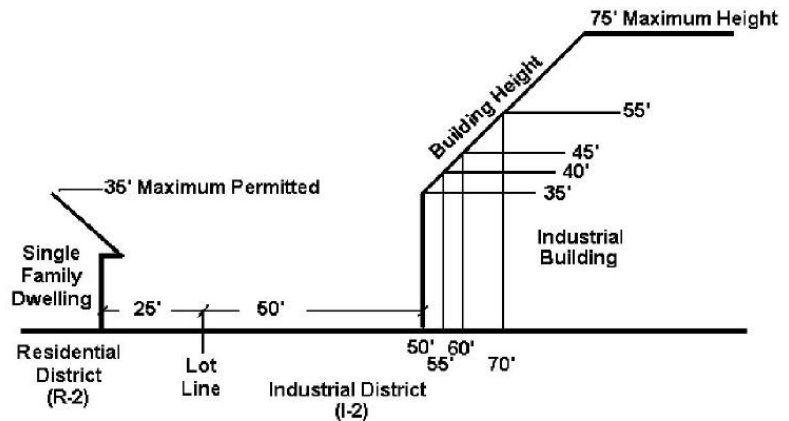
MAJOR RESIDENTIAL SUBDIVISION. See *SUBDIVISION, MAJOR RESIDENTIAL*.

MAXIMUM BUILDING

HEIGHT. The vertical distance measured from finished grade to the highest point of the roof.

MEDICAL OFFICE/HOSPITAL.

Land uses such as hospitals; hospice and elder care; outpatient surgery centers; medical diagnostic laboratories; preventive, diagnostic, and acute care for medical, dental, vision, and/or chiropractic care; and the business and/or office service for the above.



MINOR RESIDENTIAL SUBDIVISION. See *SUBDIVISION, MINOR RESIDENTIAL*.

NON-WHIP ANTENNA. An antenna which is not a whip antenna, such as dish antennas, panel antennas and the like.

OPEN BURNING. Any burning of combustible matter where the products of combustion are emitted directly into the outside air without passing through a stack or chimney.

OUTLOT.

- a. That portion of land in a subdivision, integrated center, industrial park or planned development which does not contain the central or primary building of the development and is:
 1. Usually located adjacent to a street or frontage street; and
 2. Is intended for the development of a smaller, additional and separate building or buildings.
- b. In a subdivision, integrated center or industrial park where there is no central or primary building of the development and individual lots are developed independently of each other, each lot shall be considered an out lot.

PARKING AREA. Any area of paving other than an open exhibition or display area, not inclusive of interior access drives, driveways, interior access driveways and access drives, intended for the temporary storage of automotive vehicles including parking spaces and the area allocated to the egress/ingress of automotive vehicles to and from the actual parking space.

PARKING, OFF-STREET. A parking area located completely on a lot and accessed via interior access drives, interior access driveways, access drives or driveways in which no individual parking spaces gain direct access to a public or private street.

PARKING, ON-STREET. A parking area located partially or completely within the right-of-way of a public street or private street.

PARKING LOT. The primary or accessory use of a lot or a portion of a lot for the parking of automotive vehicles.

PARKING SPACE. An off-street portion of the parking area, which shall be used only for the temporary placement of an operable motor vehicle.

PARKINGSHED A defined walkable geographical area determined for each individual development, approved by the Plan Commission or Planning Director (as applicable), within which the use of parking may be shared based upon differing peak hours of parking demand, availability of unused parking spaces, scheduled transit, and/or presence of publicly usable parking facilities.

PATIO. A hard-surfaced area accessory structure to a primary use or structure of which the horizontal area is at grade level with at least one side open to the weather and essentially unobstructed to the sky. This area is specifically designed and intended for the recreational enjoyment of the occupant(s) and guest(s) of the primary use or structure and is not designed or intended for use by automotive vehicles.

PATIO COVER. A one-story structure open on two or more sides covered overhead by a solid or permeable (i.e. lattice/trellis style) roof. **PATIO COVERS** are not designed or intended to be used as room additions.

PENNANT. A sign of lightweight plastic, fabric or other similar material, whether or not containing a message of any kind, which is suspended from a rope, wire or string, usually in a series, and which is designed to move in the wind. Flags of any government or political unit shall not be considered **PENNANTS**.

PERFORMANCE BOND. A legally binding agreement whereby the subdivider posts a surety in a form acceptable to the Plan Commission for the construction of improvements, installations and lot improvements required by the Town Subdivision Control Ordinance, any other applicable ordinances of the town, and any requirements, covenants, conditions or commitments which may be imposed by the Plan Commission.

PERMIT AUTHORITY. The staff of the Town of Plainfield.

PERMITTED USE. The use of land or the use of a building or structure on land which is allowed, either as a matter of right or under limited conditions (i.e., as a special exception use, an accessory use, a home occupation or a temporary use) in the zoning district applicable to the land.

PERSON. A corporation, firm, partnership, association, organization or any other group acting as a unit, as well as a natural person.

PLAN COMMISSION. The Town of Plainfield Plan Commission established pursuant to the advisory planning law of the state.

PLANT CATEGORIES. The grouping of plants based upon the nature, size and species of the plants.

PLANT UNIT VALUE. A numeric value assigned to plants within the various plant categories.

PLANTING SEASON. The spring and fall time periods during which new plant materials that are installed are most likely to survive the planting process. Generally, these periods are from April 15 to June 15 (spring) and October 15 to November 15 (fall). This does not prohibit the installation of plant materials during other times of the year.

PLAT. A drawing, map, plan or other graphic representation of a subdivision of a tract of land or a replat of such a tract of land into lots of record.

PLAT, INCREMENTAL. See **INCREMENTAL PLAT.**

PLAZA. An open space that may be improved and landscaped, usually surrounded by streets or buildings.

PORCH. A roofed structure with at least one side exposed to the weather, supported from the ground and attached to or part of a building at the area of entrance or exit to said building.

PRIMARY BUILDING. The building in which the primary permitted use of the lot is conducted.

PRIMARY PLAT. Any initial request for the subdivision of real estate filed before the Plan Commission pursuant to I.C. 36-7-4-700 et seq.

PRIMARY USE. A permitted use of land or a permitted use of a building or structure on land which is allowed as a matter of right in the zoning district applicable to the land, subject only to compliance with the development standards applicable to that zoning district.

RECYCLING CONTAINER. A receptacle designed and intended for the collection of cleaned, sorted, solid household waste products, including, but not limited to, glass, plastic, metal and paper.

REQUIRED SERVICES FOR PRIVATE STREETS AND DRIVES: Including, but not limited to: regular trash pick-up; leaf pick-up; snow removal; daily mail delivery service; roadway maintenance and repair, including, but not limited to: driving surface, roadway subgrade, subsurface drainage, roadside drainage, curbs, sidewalks, *Street* lights, *Street* name signs, traffic control signs, and traffic control signals; and, powers to enforce speed control and parking regulations.

RESIDENTIAL FACILITY FOR THE DEVELOPMENTALLY DISABLED. A residential facility established under a program authorized by I.C. 12-11-1 which provides residential services for not more than eight developmentally disabled individuals.

RESIDENTIAL FACILITY FOR THE MENTALLY ILL. A residential facility established under a program authorized by I.C. 12-22-1-1 which provides residential services for mentally ill individuals.

RIGHT-OF-WAY. Specific and particularly described land, property or interest therein devoted to and subject to the lawful use, typically as a thoroughfare for passage of pedestrians, vehicles or utilities, as set forth in a written grant, declaration or conveyance that is recorded in the office of the County Recorder.

RIGHT-OF-WAY, EXISTING. The total right-of-way width of a street as created or expanded by the most recent grant, declaration or conveyance for that is recorded by the office of the County Recorder.

RIGHT-OF-WAY, PRIVATE. Specific and particularly described strip of privately-held land devoted to and subject to use for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as set forth in a written grant, declaration or conveyance that is recorded by the office of the County Recorder.

RIGHT-OF-WAY, PROPOSED. The recommended right-of-way width for a street based upon that street's classification in the Thoroughfare Plan portion of the Comprehensive Plan.

RIGHT-OF-WAY, PUBLIC. Specific and particularly described strip of land, property or interest therein dedicated to and accepted by the municipality, county or state to be devoted to and subject to use by the general public for general transportation purposes or conveyance of utilities whether or not in actual fact improved or actually used for such purposes, as set forth in a written grant, declaration or conveyance that is recorded by the office of the County Recorder.

SECONDARY PLAT. Any plat approved by the Plan Commission and authorized for filing with the County Auditor and for recording by the County Recorder's office in accordance with I.C. 36-7-4-710.

SECRETARY. The Secretary of the Plan Commission as duly appointed by the Plan Commission in accordance with I.C. 36-7-4-304.

SETBACK. That distance measured perpendicularly from the property line to the closest point of the building, structure, sign structure, parking area or any other permanent improvement.

SETBACK LINE. A line that establishes the minimum distance that a building, structure or portion thereof, can be located from a lot line or right-of-way line.

SETBACK, MAXIMUM. The largest distance allowed by this Westlyn PUD Ordinance from a front lot line for the location of a building, structure or any other permanent improvement (excluding parking areas).

SETBACK, MINIMUM. The smallest distance required by this Westlyn PUD Ordinance from a lot line to the closest point of a building, structure, sign structure, parking area, loading area, storage area or any other permanent improvement. A **MINIMUM SETBACK** may be a minimum front setback, minimum side setback or minimum rear setback. Said distance shall be measured perpendicularly from the lot line.

SETBACK, MINIMUM FRONT. The minimum distance required by this Westlyn PUD Ordinance from a front lot line to the closest point of the building, structure, sign structure, parking area, loading area, storage area or any other permanent improvement. Said distance shall be measured perpendicularly from the front lot line.

SETBACK, MINIMUM REAR. The minimum distance required by this Westlyn PUD Ordinance

from a rear lot line to the closest point of the building, structure, sign structure, parking area, loading area, storage area or any other permanent improvement. Said distance shall be measured perpendicularly from the rear lot line.

SETBACK, MINIMUM SIDE. The minimum distance required by this Westlyn PUD Ordinance from a side lot line to the closest point of the building, structure, sign structure, parking area or any other permanent improvement. Said distance shall be measured perpendicularly from the side lot line.

SHOE-BOX LIGHT FIXTURE. A full-cutoff light fixture with a low glare design and a flat glass lens.

SIGN. Any structure, fixture, placard, announcement, declaration, device, demonstration or insignia used for direction, information, identification or to advertise or promote any business, product, goods, activity, services or interests.

SIGN, A-FRAME. A portable sign containing two sign faces and whose framing is hinged at the apex at an angle less than 45 degrees.

SIGN, ADVERTISING. An off-premises sign which directs attention to any business, profession, product, activity, commodity or service, which is offered, sold or manufactured on property or premises other than that upon which the sign is located. Also known as an **OUTDOOR ADVERTISING SIGN**.

SIGN, AWNING. A building identification sign or graphic printed on or in some fashion attached directly to the material of an awning.

SIGN, BALLOON. A temporary sign consisting of a bag made of light-weight material which is either:

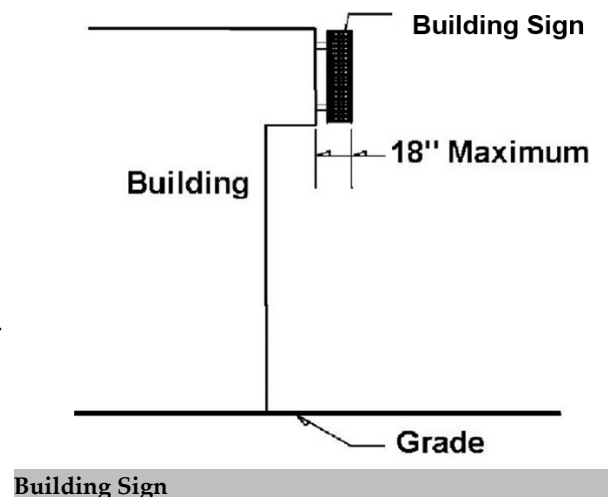
- a. Filled with a gas lighter than air; or
- b. Continuously filled with blown air and designed to rise or float in the atmosphere or is attached to the ground or a building.

SIGN, BANNER. A sign of lightweight fabric or similar material mounted at one or more corners or edges by a permanent frame or fixture. Flags of any governmental or political subdivision shall not be considered **BANNERS**.

SIGN, BUILDING. Any sign attached to or erected on a wall of a building or structure, with the exposed face of the sign in a plane parallel to the plane of said wall, within 18 inches of said wall, and containing only one sign display surface.

SIGN, BUSINESS. See **SIGN, IDENTIFICATION**.

SIGN CABINET. The frame or skeletal structure of an internally illuminated sign which supports



the sign face (including, by way of example, but not limited to, an individual channel letter wall sign, a raceway mounted channel letter wall sign, a box wall sign, a ground sign).

SIGN, CANOPY. Any sign that is part of or attached to a canopy over a door, entrance or window.

SIGN, CHANGEABLE COPY. A sign that is capable of changing the position or format of word messages or other displays on the sign face or change the display of words, numbers, symbols, and/or graphics by use of light apertures or similar methods, changeable pictorial panels, rotating or similar panels, or changeable letters, numbers, symbols, and similar characters. The sign cabinet and sign structure are not changed or modified to change the copy. These displays may be changed in the field or from a remote location.

SIGN, CHANNEL BOX. See Sign, Cloud

SIGN, CLOUD. A custom shaped sign including embossed copy with the exterior edges of the sign contoured to the outer edge of the copy.

SIGN, DIRECTIONAL. Any incidental sign which serves solely to designate the location of or direction to any place or area located on the same lot.

SIGN, GONFALON. A temporary sign, typically of a lightweight fabric or similar material, mounted on a light pole from an upper and lower crosspiece.

SIGN, GROUND. Any freestanding sign constructed in or on the ground surface.

SIGN, IDENTIFICATION. Any sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution (not including the price or cost of such activity), or the occupancy of the person.

SIGN, INCIDENTAL. A sign relating to the lot or use thereof and designated accessory uses, direction, identification, or information.

SIGN, MARQUEE. Any building identification sign painted, mounted, constructed or attached in any manner on a marquee.

SIGN, NONCOMMERCIAL OPINION. A sign which does not advertise products, goods, businesses or services and which expresses an opinion or point of view.

SIGN, NONCONFORMING. A sign which qualifies as a legally established nonconforming structure.

SIGN, OFF-PREMISES. A ground mounted sign on a parcel that has no primary use.

SIGN, PARKING AND LOADING. Any incidental sign which serves to designate the location of any parking or loading area on a lot and may include the name of the owner or the establishment for which such parking or loading area it is provided.

SIGN, PORTABLE. Any sign or sign structure not securely attached to the ground or other permanent structure, or: a sign designed to be transported from place to place, including, but not limited to, signs transported by means of wheels; a sign attached to A- or T-frames; a menu and sandwich board sign; a balloon used as a sign, umbrella used for advertising; and a sign attached to or painted on a vehicle parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operation of the business.



Projecting Sign

Projecting Sign

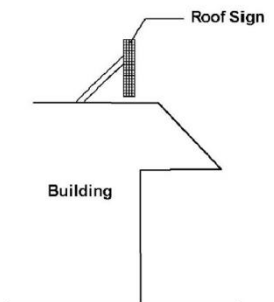
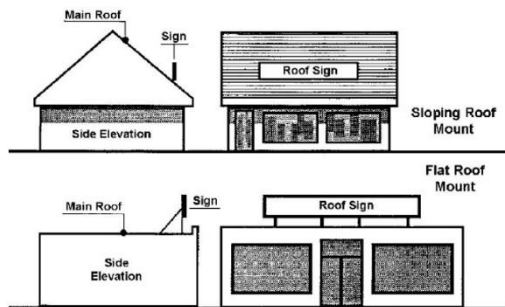
SIGN, PROJECTING. Any sign which is affixed to a building or wall in such a manner that the leading edge extends more than 18 inches beyond the surface of such building or wall face.

SIGN, ROOF. Any sign erected on or wholly constructed upon a roof of any building and supported solely on the roof structure.

SIGN, SIDEWALK. A movable sign which is intended to convey information to pedestrians, such as an A-frame sign containing menus or specials. A **SIDEWALK SIGN** is not considered to be a portable sign.

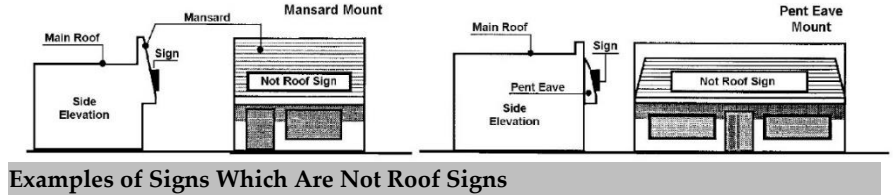
SIGN STRUCTURE. Any structure including supports, uprights, bracing and framework which supports or is capable of supporting any sign.

SIGN SURFACE. The surface of the sign upon, against, or through which the message of the sign is exhibited.



Examples of Roof Signs

SIGN SURFACE AREA. The area of a sign surface (which is also the **SIGN SURFACE AREA** of a wall sign or other sign with only one face). **SIGN SURFACE AREA** shall be computed by using the smallest square, rectangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including, any supporting framework, bracing or decorative fence or wall when such fence or wall otherwise meets the applicable regulations of this Y and is clearly incidental to the display itself.



SIGN, SUSPENDED. Any sign that is suspended from the underside of a horizontal plane surface and is connected to the horizontal plane surface.

SIGN, T-FRAME. A portable sign utilizing an inverted “T” style of framing to support the sign.

SIGN, TEMPORARY. Any sign or sign structure which is not permanently affixed or installed and is intended to be displayed for limited periods only. Examples of such signs include, but are not limited to, the following: real estate, construction, special event, political, garage sale, home improvement/remodeling, model home and seasonal/holiday signs.

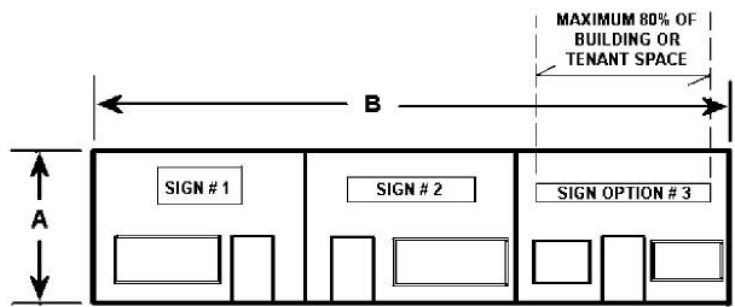
SIGN, WIND. A sign of lightweight fabric or similar material attached at one end to a pole or similar apparatus so as to swing freely, inflate and flutter by movement of the wind.

SIGN, WINDOW. Any sign placed:

- a. Inside of and within two feet of a window; or
- b. Upon a window and is intended to be seen from the exterior of the window.

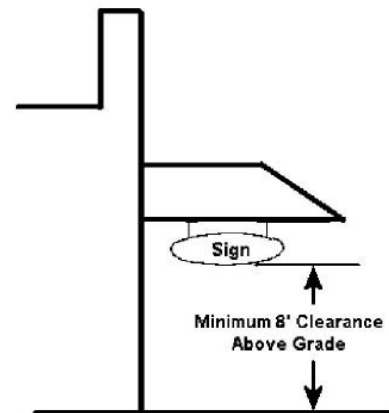
SINGLE USE SITE. A lot which is developed and intended for use by one permitted use.

SKETCH PLAN. A graphic representation of a site or subdivision, drawn to an appropriate scale by hand or other drawing method, capable of depicting the general pattern proposed for a development or subdivision layout in compliance with the applicable provisions of the Zoning Ordinance or the Subdivision Control Ordinance.



MAXIMUM SIGN SURFACE AREA

Facade Area = A X B



STAFF. The Secretary of the Plan Commission, the Director of the Department of Planning and Zoning, any employee of the Plan Commission, or any attorney or agent of the Secretary of the Plan Commission or the Director of the Planning and Zoning Department.

STORY. That part of a building, with an open height of no less than 78 inches, except a mezzanine, included between the upper surface of one floor and the lower surface of the next floor, or if there is no floor above, then the ceiling next above. A basement shall constitute a **STORY** only if it provides finished floor area.

STREET. Any public or private right-of-way, with the exception of alleys, essentially open to the sky and open and dedicated to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, lane, road, drive, expressway, arterial, thoroughfare, highway or any other term commonly applied to a right-of-way for said purposes. A **STREET** may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking space and similar features.

STREET, COLLECTOR. A street designated on the Thoroughfare Plan as a collector.

STREET, CUL-DE-SAC. A local street having one open end and being permanently terminated at the other by a vehicular turnaround.

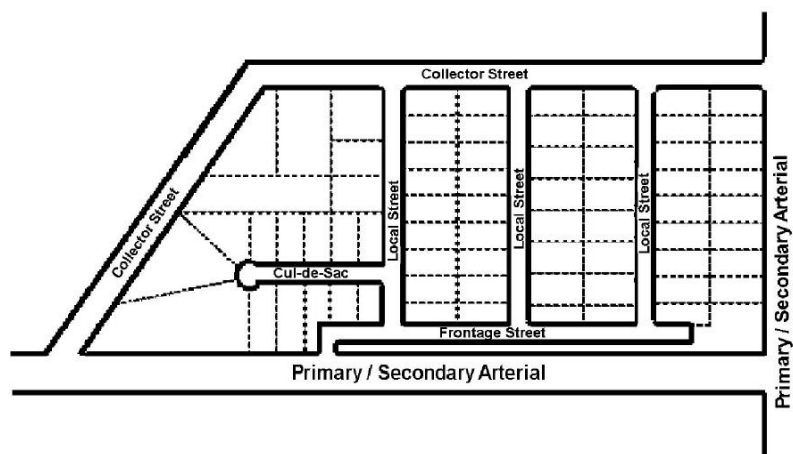
STREET, FRONTAGE. A street located alongside and generally parallel with a more heavily traveled street and which provides access to abutting property(ies).

STREET, INTERSTATE. A street designated on the Thoroughfare Plan as an interstate.

STREET, LIMITED ACCESS. A street along which access is restricted due to the acquisition of access rights from adjoining properties by the appropriate governmental agency having jurisdiction over such street.

STREET, LOCAL. A street primarily designed and intended to carry low volumes of vehicular traffic movement at low speeds within the immediate geographic area with direct access to abutting properties.

STREET, LOCAL COLLECTOR. That portion of a local street which serves as the main entrance into a major residential subdivision, from the right-of-way line of the street from which the major residential subdivision gains access, to the right-of-way line of the first intersecting street within the major residential subdivision.



STREET, PRIMARY ARTERIAL. A street designated on the

Thoroughfare Plan as a primary arterial.

STREET, PRIVATE. A privately-held right-of-way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, easement, road, expressway, arterial, thoroughfare, highway or any other term commonly applied to a right-of-way for said purposes. A **PRIVATE STREET** may be comprised of pavement, shoulders, curbs, sidewalks, parking space and similar features.

STREET, PUBLIC. A publicly dedicated, accepted and maintained right-of-way, with the exception of alleys, essentially open to the sky and open to the general public for the purposes of vehicular and pedestrian travel affording access to abutting property, whether referred to as a street, lane, road, drive, expressway, arterial, thoroughfare, highway or any other term commonly applied to a public right-of-way for said purposes. A **PUBLIC STREET** may be comprised of pavement, shoulders, gutters, curbs, sidewalks, parking space and similar features.

STREET, SECONDARY ARTERIAL. A street designated on the Thoroughfare Plan as a secondary arterial.

STRUCTURE. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, **STRUCTURES** include buildings, mobile homes, walls, parking areas, signs and billboards.

SUBDIVIDER. The owner, developer or authorized agent of the owner or developer of real estate, who is responsible for all designs, reservations and improvements related to the petition for primary or secondary plat approval or the development of a subdivision.

SUBDIVISION. The division of a parcel of land into two or more lots, parcels, sites, units, plats or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, including re-subdivision. **SUBDIVISION** includes the division or development of land opened for residential and nonresidential uses, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat or other recorded instrument. The following kinds of division of existing parcels of land are exempt:

- a. A division of land for the sale or exchange of tracts by adjoining landowners to correct errors in an existing legal description, provided that no additional building sites other than for accessory buildings are created by the division;
- b. A division of land for the acquisition of street or utility right-of-way or easement;
- c. A division of land for the sale or exchange of tracts between adjoining landowners, provided that no additional development sites other than for accessory buildings are created by the division;
- d. A division of land into cemetery plots for the purpose of burial; and
- e. A division of a lot of record, which is or may be legally developed with a two-family dwelling or a multi-family dwelling, into sub-lots for the purpose of transfer of ownership of the individual dwelling units and their associated portion of the lot of record, provided that no additional development sites are created by the division and that no sub-lots are created which do not contain a dwelling unit.

SUBDIVISION, MAJOR RESIDENTIAL.

- a. A subdivision of a tract of land into four or more parcels or lots, including any remainder of the original tract, for single-family or two-family dwelling purposes;
- b. Any single-family or two-family dwelling subdivision which involves the creation of new streets, extension of water lines or sewer lines, or the creation of public improvements; or
- c. A subdivision for a multi-family dwelling development.

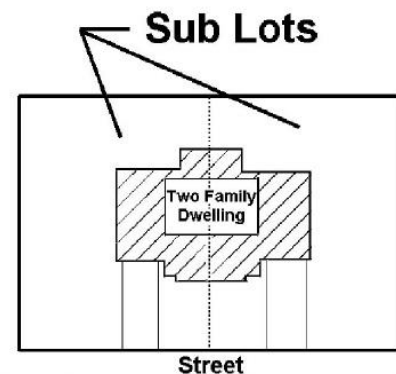
SUBDIVISION, MINOR RESIDENTIAL. A subdivision of a tract of land into less than four parcels or lots, including any remainder of the original tract, for single-family or two-family dwelling purposes, which does not involve the creation of new streets, extension of water lines or sewer lines, or the creation of public improvements.

SUBDIVISION, NONRESIDENTIAL. A subdivision of a tract of land, including any remainder of the original tract, for any commercial, industrial or special exception use.

SUBDIVISION, NONRESIDENTIAL INCREMENTAL. A subdivision of a tract of land, including any remainder of the original tract, for any commercial, industrial or special exception use which is submitted for primary and secondary plat approval through the incremental plat approval process.

SUB-LOTS. Portions of a lot of record created in connection with the transfer of ownership of individual dwelling units in a two-family or multi-family dwelling.

TECHNICAL ADVISORY COMMITTEE (TAC). A committee of technical consultants established to provide the Director with technical assistance in the review of plans for compliance with the provisions of this Westlyn PUD Ordinance, the Subdivision Control Ordinance and other applicable rules and regulations of federal, state or local agencies.



TEMPORARY USE. A land use established for a limited and fixed period of time with the intent to discontinue such use upon the expiration of the time period.

THOROUGHFARE PLAN. That portion of the Comprehensive Plan which sets forth recommendations for major street alignments and street classifications.

TOWN ENGINEER. The licensed engineer designated by the town to furnish engineering assistance and advice in the administration of the Zoning Ordinance and the Subdivision Control Ordinance.

TOWN STANDARDS. Those drawings, memorandum and specifications established by the Town Engineer, under the authority of the Town Council, for the sole purpose of identifying the minimum quality and performance standards for facilities, or components thereof, which, in the opinion of the Town Engineer, may impact the integrity of the public works system, thereby impacting the public health, safety, comfort, convenience and general welfare of the town.

UNDERGROUND FACILITIES. An accessory structure which is at least 75% subterranean, utilized for storage of personal property or as a temporary shelter for people, such as a storm cellar or fallout shelter.

VEHICLE. A self-propelled device in, upon, or by which a person or property is, or may be, transported. The term does not include a farm tractor, an implement of agriculture designed to be operated primarily in a farm field or on farm premises, a semi-truck or semi-trailer, an electric bicycle, an electric foot scooter, or an electric personal assistive mobility device.

WALKWAY. A defined pedestrian way, typically improved with concrete or asphalt, which provides for pedestrian movement on private property. A **WALKWAY** may or may not be located in a pedestrian easement.

WHIP ANTENNA. An omni-directional dipole antenna of cylindrical shape which is no more than six inches in diameter.

- a. All wireless facilities and wireless support structures shall be designed to conform with the accepted electrical engineering methods and practices and to comply with the provisions of the National Electric Code, as amended.
- b. All wireless facilities and wireless support structures shall be constructed to conform with the requirements of the Occupational Safety and Health Administration (OSHA).
- c. All wireless facilities and wireless support structures shall be designed and constructed to all applicable standards of the American National Standards Institute (ANSI) manual, as amended.

YARD. An open space, unobstructed to the sky, extending fully across the lot while situated between the front, side or rear lot line and the established front, side or rear building line.

YARD, FRONT. An open space, unobstructed to the sky, extending fully across the lot while situated between the front lot line and the established front building line.

YARD, INTERIOR. An open space, unobstructed to the sky, extending out from the wall of a multi-family dwelling.

YARD, MINIMUM. An open space unobstructed to the sky, extended fully across the lot situated between a lot line and a setback line. **MINIMUM YARDS** may be a front yard, a side yard or a rear yard depending on which lot line the required yard abuts.

YARD, PERIMETER. An open space, unobstructed to the sky, extending fully across the lot while situated between any front, side and rear lot line and the minimum required front, side and rear setback.

YARD, REAR. An open space, unobstructed to the sky, extending fully across the lot while situated between the rear lot line and the established rear building line.

YARD SALE. See **GARAGE SALE.**

YARD, SIDE. An open space, unobstructed to the sky, extending fully across the lot while situated between a side lot line and the established side building line.

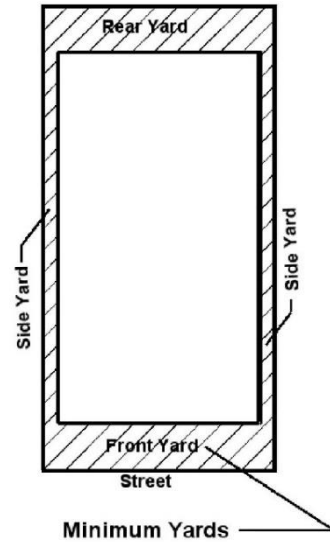


EXHIBIT A

Legal Description

DKDS/JONES PARCEL SURVEYED DESCRIPTION

Part of the Southwest Quarter of Section 33, Township 15 North, Range 1 East, Northwest and Southwest Quarters of Section 4, Township 14 North, Range 1 East and the Northwest Quarter of Section 9, Township 14 North, Range 1 East of the Second Principal Meridian, in Hendricks County, Indiana, being that 151.006 acre tract of land shown on an ALTA/NSPS Land Title Survey of said tract certified by Bryson Raney, PS #LS22300026 as Banning Engineering Project Number 23365 (all references to monuments and courses herein are as shown on said plat of survey) described as follows:

BEGINNING at a stone with cut "X" marking the southwest corner of said southwest quarter; thence North 00 degrees 33 minutes 31 seconds West along the west line of said southwest quarter 768.62 feet to Line "AL" per Indiana State Highway Commission Plans for F.A. Project No. 15 Sec. B (3) (1940); thence North 65 degrees 48 minutes 29 seconds East along said Line "AL" 311.45 feet to the northwest corner of the land of Mark and Kelly Allen recorded as Instrument Number 201926865 in the Office of the Recorder of Hendricks County; thence South 06 degrees 20 minutes 55 seconds East along the west line of said land of Mark and Kelly Allen 2,285.16 feet to the south line of the north half of the northwest quarter of said Section 4; thence North 88 degrees 55 minutes 09 seconds East along said north line 1,228.74 feet; thence South 06 degrees 29 minutes 22 seconds East 1,335.06 feet to the north line of land of PMF Properties, LLC recorded as Instrument Number 202010789 in said recorder's office (the following three (3) lines follow along the north and west lines of said land of PMF Properties, LLC); 1) thence South 88 degrees 44 minutes 40 seconds West 175.36 feet; 2) thence South 00 degrees 11 minutes 46 seconds East 1,308.96 feet; 3) thence South 05 degrees 25 minutes 33 seconds West 1,362.35 feet to the south line of the southwest quarter of said Section 4; thence South 88 degrees 39 minutes 39 seconds West along said south line 139.91 feet to the northeast corner of the west half of the northwest quarter of said Section 9; thence South 00 degrees 46 minutes 23 seconds East along the east line of said west half 598.26 feet to the northeast corner of Exempt Subdivision 007/15 recorded as Instrument Number 201519897 in said recorder's office (the following two (2) calls follow along the north and west lines of said Exempt Subdivision 007/15); 1) thence South 89 degrees 11 minutes 28 seconds West 251.44 feet; 2) thence South 00 degrees 45 minutes 44 seconds East 303.96 feet to the north line of the land of Lucas and Lauren Karr recorded as Instrument Number 202107381 in said recorder's office (the following two (2) calls follow along the north line of said land of Lucas and Lauren Karr); 1) thence North 87 degrees 58 minutes 38 seconds West 70.47 feet; 2) thence North 89 degrees 46 minutes 01 second West 204.76 feet to the northeast corner of the land of Patricia Smith recorded as Instrument Number 201615394 in said recorder's office (the following five (5) calls follow along the north line of said land of Patricia Smith); 1) thence South 81 degrees 50 minutes 43 seconds West 39.01 feet; 2) thence South 25 degrees 51 minutes 41 seconds West 33.40 feet; 3) thence South 15 degrees 37 minutes 43 seconds West 125.21 feet; 4) thence South 45 degrees 05 minutes 01 second West 95.82 feet; 5) thence South 88 degrees 39 minutes 54 seconds West 337.58 feet to the east line of the land of Kevin and Karen Burgess Revocable Trust Dated June 15, 2022 as Instrument Number 202215136 in said recorder's office; thence North 00 degrees 53 minutes 12 seconds West along said east line 825.86 feet to the southwest corner of the land of Ronnie Buchanan and Jamie Freije recorded as Instrument Number 200626996 in said recorder's office (the following two (2) calls follow along the south and east lines of said land of Ronnie Buchanan and Jamie Freije); 1) thence North 88 degrees 39 minutes 17 seconds East 184.52 feet; 2) thence North 00 degrees 53 minutes 43 seconds West 284.17 feet to the south line of the southwest quarter of said Section 4; thence North 88 degrees 39 minutes 39 seconds East along said south line 166.42 feet to the southwest corner of the land of DKDS Investments, LLC recorded as Instrument Number 201923551 in said recorder's office (the following two (2) courses follow along the west line of said land of DKDS Investments, LLC); 1) thence North 01 degree 04 minutes 44 seconds West 2,090.99 feet; 2)) thence North 00 degree 59 minutes 53 seconds West 572.05 feet to the south line of the south half of the northwest quarter of Section 4; thence South 88 degrees 44 minutes 40 seconds West along said south line 674.70 feet to a stone marking the southwest corner of said south half; thence North 01 degree 02 minutes 01 second West along the west line of said south half 1,334.72 feet to a stone with cut "X" marking the southwest corner of the north half of the northwest quarter of said Section 4; thence North 01 degree 03 minutes 08

seconds West along the west line of said north half 1,384.85 feet to a stone with cut "X" marking the northwest corner of said northwest quarter; thence South 88 degrees 28 minutes 16 seconds West along the south line of the southwest quarter of said Section 33 a distance of 22.69 feet to the POINT OF BEGINNING, containing 151.006 acres, more or less.

AND

ALLEN PARCEL SURVEYED DESCRIPTION

Part of the Southwest of Section 33, Township 15 North, Range 1 East, and part of the North Half of the Northwest quarter of the Northwest quarter of Section 4, Township 14 North, Range 1 East of the Second Principal Meridian in Hendricks County, Indiana, being that 52.330 acre tract of land shown on the plat of an ALTA/NSPS Land Title Survey of said tract certified by Bryson Raney, PS #LS22300026 as Banning Engineering Project Number 24123 (all references to monuments and courses herein are as shown on said plat of survey) described as follows:

Commencing at a Stone with cut "X" marking the southwest corner of the north half of said northwest quarter; thence North 88 degrees 55 minutes 09 seconds East along the south line of said north half 481.26 feet to the southeast corner of the land of Damon N. Jones Revocable Trust Dated June 19, 2019 recorded as Instrument Number 20225693 in the Office of the Recorder of Hendricks County being the POINT OF BEGINNING; thence North 06 degrees 20 minutes 55 seconds West along the east line of the land of Damon N. Jones Revocable Trust and the east line of said land of Damon N. Jones Revocable Trust Dated June 19, 2019 recorded as Instrument Number 202220890 in said recorder's office 2,285.16 feet to the Line "AL" per the Indiana Highway Commission Plans for F.A. Project No. 15 Sec. B (3) (1940) for U.S. Highway 40; thence North 65 degrees 48 minutes 29 seconds East along said Line "AL" 163.00 feet to the northwest corner of the land of Kevin and Kara Trivett recorded as Instrument Number 202225722 in said recorder's office (the following four (4) calls follow along the west, south and east lines of said land of Kevin and Kara Trivett); 1) thence South 13 degrees 12 minutes 33 seconds East 466.11 feet to a 5/8 inch rebar with Banning Eng Firm #0060 cap set (hereinafter referred to a "Banning Rebar"); 2) thence South 16 degrees 15 minutes 55 seconds East 511.69 feet to the north line of said north half marked by a "Banning Rebar"; 3) thence North 88 degrees 28 minutes 16 seconds East along said north line 85.56 feet to a "Banning Rebar"; 4) thence North 01 degree 10 minutes 02 seconds West 1,083.67 feet to said Line "AL"; thence North 65 degrees 48 minutes 29 seconds East along said Line "AL" 385.41 feet to the northwest corner of the land of Jack and Nancy Hancock Living Trust Dated March 27, 2018 recorded as Instrument Number 202302807 in said recorder's office; thence South 00 degrees 58 minutes 49 seconds East along the west line of said land of Jack and Nancy Hancock Living Trust 228.11 feet to the centerline of the creek (the following fifty-two calls follow along the centerline of said creek); 1) thence South 25 degrees 01 minute 06 seconds East 142.98 feet; 2) thence South 19 degrees 50 minutes 15 seconds East 195.51 feet; 3) thence South 38 degrees 03 minutes 23 seconds East 83.08 feet; 4) thence South 12 degrees 39 minutes 27 seconds West 87.17 feet; 5) thence South 54 degrees 26 minutes 15 seconds East 61.54 feet; 6) thence South 20 degrees 54 minutes 04 seconds East 62.30 feet; 7) thence South 41 degrees 15 minutes 18 seconds West 71.67 feet; 8) thence South 71 degrees 45 minutes 26 seconds East 29.48 feet; 9) thence South 14 degrees 40 minutes 59 seconds East 53.04 feet; 10) thence South 46 degrees 14 minutes 18 seconds West 89.44 feet; 11) thence South 27 degrees 43 minutes 32 seconds East 59.39 feet; 12) thence South 19 degrees 45 minutes 20 seconds East 123.27 feet; 13) thence South 43 degrees 01 minute 46 seconds East 40.18 feet; 14) thence South 82 degrees 12 minutes 53 seconds East 75.77 feet; 15) thence South 14 degrees 33 minutes 19 seconds West 59.75 feet; 16) thence South 66 degrees 20 minutes 50 seconds West 27.07 feet; 17) thence South 06 degrees 11 minutes 48 seconds West 70.42 feet; 18) thence South 73 degrees 22 minutes 11 seconds West 33.98 feet; 19) thence North 40 degrees 18 minutes 07 seconds West 58.02 feet; 20) thence South 40 degrees 57 minutes 52 seconds West 58.62 feet; 21) thence South 18 degrees 23 minutes 02 seconds East 40.84 feet; 22) thence South 84 degrees 19 minutes 00 seconds East 23.86 feet; 23) thence South 29 degrees 30 minutes 57 seconds East 37.75 feet; 24) thence South 37 degrees 58 minutes 29 seconds East 149.02 feet; 25) thence North 69 degrees 46 minutes 10 seconds East 54.09 feet; 26) thence South 23 degrees 09 minutes 13 seconds East 106.42 feet; 27) thence North 67 degrees 59 minutes 41 seconds East 31.36 feet; 28) thence South 04 degrees 57 minutes 50 seconds West 64.19 feet; 29) thence North 82 degrees 31 minutes 20 seconds West 96.14 feet; 30) thence South 19 degrees 55 minutes 36 seconds East 66.50 feet; 31) thence South 27 degrees 59 minutes 15 seconds West 45.22 feet; 32) thence South 30 degrees 43 minutes 44 seconds East 40.86 feet; 33) thence North 70 degrees 42 minutes 15 seconds East 66.12 feet; 34) thence

South 26 degrees 58 minutes 14 seconds West 35.06 feet; 35) thence South 02 degrees 02 minutes 50 seconds East 44.64 feet; 36) thence South 52 degrees 50 minutes 03 seconds West 48.59 feet; 37) thence South 43 degrees 33 minutes 47 seconds East 62.85 feet; 38) thence South 21 degrees 06 minutes 36 seconds West 70.14 feet; 39) thence South 40 degrees 11 minutes 25 seconds West 55.27 feet; 40) thence South 84 degrees 46 minutes 47 seconds East 147.57 feet; 41) thence South 17 degrees 54 minutes 44 seconds East 65.58 feet; 42) thence South 40 degrees 54 minutes 00 seconds West 65.96 feet; 43) thence South 47 degrees 00 minutes 28 seconds East 83.86 feet; 44) thence South 82 degrees 52 minutes 38 seconds East 71.58 feet; 45) thence South 25 degrees 47 minutes 15 seconds East 62.37 feet; 46) thence South 23 degrees 20 minutes 02 seconds West 105.72 feet; 47) thence South 55 degrees 27 minutes 59 seconds West 79.97 feet; 48) thence South 26 degrees 12 minutes 41 seconds West 58.70 feet; 49) thence South 18 degrees 21 minutes 44 seconds East 57.62 feet; 50) thence South 77 degrees 42 minutes 05 seconds East 120.47 feet; 51) thence South 32 degrees 39 minutes 08 seconds East 56.58 feet; 52) thence South 10 degrees 12 minutes 31 seconds West 39.91 feet to the south line of said north half; thence South 88 degrees 55 minutes 46 seconds West along said south line 1,232.49 feet to the POINT OF BEGINNING, containing 52.330 acres, more or less.

AND

CRAIG PARCEL DESCRIPTION

A part of the West Half of the West Half of the Southwest Quarter of Section 4, Township 14 North, Range 1 East of the Second Principal Meridian in Guilford Township, Hendricks County, Indiana, described as follows: Considering the South line of said Southwest Quarter as bearing South 90 degrees 00 minutes 00 seconds West with all bearings contained herein being relative thereto.

Commencing at a railroad spike found at the Southwest corner of said Southwest Quarter; thence North 00 degrees 17 minutes 58 seconds East (North 00 degrees 21 minutes 07 seconds East by deed) along the West line of said Southwest Quarter 725.00 feet to a 5/8 inch rebar with cap stamped "BANNING ENG LS29800001" set (herein referred to as "rebar set") at the POINT OF BEGINNING; thence continue North 00 degrees 17 minutes 58 seconds East along said West line 1938.76 feet (North 00 degrees 21 minutes 07 seconds East 1938.74 feet by deed) to a stone found at the Northwest corner of said Southwest Quarter; thence South 89 degrees 55 minutes 34 seconds East along the North line of said Southwest Quarter 673.35 feet (South 89 degrees 26 minutes 36 seconds East 667.28 feet by deed) to a rebar set at the Northeast corner of the West Half of the West Half of said Southwest Quarter; thence South 00 degrees 16 minutes 22 seconds West along the East line thereof 2662.88 feet (South 00 degrees 10 minutes 35 seconds West 2657.21 feet by deed) to a MAG nail with "LS29800001" tag set (herein referred to as "nail set") on the South line of said Southwest Quarter; thence South 90 degrees 00 minutes 00 seconds West along said South line 49.98 feet to a nail set at the southeast corner of a tract of land described in deed to Wallace recorded in Deed Record 316, Page 506 in the Hendricks County Recorder's Office; thence North 00 degrees 16 minutes 22 seconds East (South 00 degrees 10 minutes 35 seconds West by Wallace deed) along the east line of said land 312.72 feet to a rebar set at the northeast corner thereof; thence South 90 degrees 00 minutes 00 seconds West along the north line of said land 309.04 feet northwest corner thereof, said point being on the west line of a tract of land described in deed to Durham recorded in Deed Record 316, Pages 504-505 in said county records; thence North 00 degrees 17 minutes 58 seconds East (North 00 degrees 21 minutes 07 seconds East by deed) along said west line 412.28 feet to a rebar set; thence South 90 degrees 00 minutes 00 seconds West along the south line of said land 315.43 feet to the POINT OF BEGINNING, containing 33.738 acres, more or less.

All the above-described land in total containing 237.074 acres more or less.

EXHIBIT B

Preliminary PUD Site Plan



EXHIBIT C

Design Guidelines

Section 1 – Design Guidelines

1. Basic Standard

The builder(s) and/or developer(s) shall be allowed to follow the Design Guidelines and Design Features as listed below.

2. Design Guidelines and Design Features

The following guidelines will be employed to create variety and interest in all elevations of a home.

- a. Except for single-family dwellings with side load garages or third-car garages which shall be exempt from the requirements of this Section, all single-family dwellings shall have a minimum two-car attached garage and shall comply with one of the following guidelines:
 - i. A front porch that extends forward of the two-car garage bay by a minimum of six (6) feet.
 - ii. A front porch which is a minimum of eighty (80) square feet in area.
 - iii. Garage as Percent of Façade: Garage doors shall not comprise more than forty-one (41%) percent of the linear length of the ground floor of a single-family dwelling's street-facing façade; provided, however, in no event shall the percentage provided as an option under this Section 1.a.iii, increase the maximum Garage Door Width Ratio to length of front façade (two-car garage) stated in Section 2.3 of this Westlyn PUD Ordinance. The percentage is determined by dividing the garage door width by the overall width of the house, regardless of articulation and specifically including any offset planes.
- b. Additional Design Features:
 - i. Two-Car Garages: No more than two (2) one-car garage doors nor one (1) two-car garage door should be located on the same architectural plane of a front elevation.
 - ii. Maximum Driveway Width: No driveway shall exceed twenty (20) feet in width at the sidewalk.
 - iii. Minimum Size of Garages: All one or two car garages, either detached or attached, should comply with the following minimum area and width guidelines:

1. Front load garages shall have a minimum area specified in Section 2.4 of the Westlyn PUD Ordinance.
2. No mechanical equipment (furnace, water heater, etc.) shall be located within the minimum garage SF.

Section 2 – Residential Design Features

1. Front Elevation

a. All Homes

- i. Homes are required to score eleven (11) points from Groups listed in “Front Elevation Design Compliance Guidelines and Checklist” on Exhibit C-1.
- ii. Such eleven (11) points shall be allocated as follows: four (4) from Group 1, three (3) from Group 2, and the remaining from Group 3.

NOTE 1: The “Hardware on garage door” listed in Group 3 on Exhibit C-1, will be similar in style to the hardware depicted on the attached Exhibit C-4.

NOTE 2: Additional architectural embellishments or design features may be approved within each Group by the Plan Commission when such architectural features would provide a similar architectural effect to the items listed within each Group.

2. Side and Rear Elevations

a. All Homes

- i. Non-street oriented side elevations are required to score two (2) points from Groups listed in “Side and Rear Elevation Design Compliance Guidelines and Checklist” on Exhibit C-2. Such two (2) points shall be allocated as follows: a minimum of one (1) from Group 1; the remainder may come from either Group 1 or Group 2.
- ii. Rear elevations are required to score three (3) points from Groups listed in “Side and Rear Elevation Design Compliance Guidelines and Checklist” on Exhibit C-2. Such three (3) points shall be allocated as follows: a minimum of one (1) from Group 1; the remainder may come from either Group 1 or Group 2.
- iii. Side or rear elevations adjacent to any public street to be built as part of the Community (and not including any dedicated right-of-way which is not improved) are required to score four (4) points from Groups listed in “Side and Rear Elevation Design Compliance Guidelines and Checklist” on Exhibit C-2. Such four points shall be allocated as follows: a minimum

of one (1) from Group 1; the remainder may come from either Group 1 or Group 2.

NOTE: Additional architectural embellishments or design features may be approved within each Group by the Plan Commission when such architectural features would provide a similar architectural effect to the items listed within each Group.

Exhibit C-1

Front Elevation Design Compliance Guidelines and Checklist

Front Elevation Design Compliance Guidelines and Checklist	
GROUP 1 - Minimum of four (4) items required (Check all that apply)	
Change in elevation of Roof Ridge- Change in Elevation of Roof Ridge may be achieved by the presence of any change in elevation of the primary roof ridge and any other non-dormer roof ridge (whether above or below the elevation of the primary roof ridge). The presence of a front gable shall qualify as a ridge visible from the front elevation.	
Change in Direction of Roof Ridge may be achieved by the presence of any change in direction of the primary roof ridge and any other non-dormer roof ridge. The presence of a front gable shall qualify as a ridge visible from the front elevation	
Roof with dormers (minimum of two dormers unless Eyebrow Dormer)	
Bay or Oriel Window	
Porch or portico at least 4' deep from front of home to front of porch or a minimum of 24 sf. or Covered Porch or Portico (regardless of size)	
Façade Modulation (Other than items listed herein; minimum 12 inches in depth)	
100% brick or stone on all elevations (i.e. all wall surfaces below the eave line or a trimmed gable)	
Minimum of 50% brick or stone on front façade	
8/12 Roof Pitch on any roof plane	
Eyebrow shingles over garage door	
<i>Two items from Group 2 or three items from Group 3 may count as one item in Group 1.</i>	

Front Elevation Design Compliance Guidelines and Checklist

GROUP 2 - Minimum of three (3) items required. (Check all that apply)

Multiple Building Materials or profiles/patterns (secondary material, pattern or profile must comprise at least 20% of front façade)

Multiple Façade Colors (excluding masonry and trim)

Masonry wainscot (a min. height of thirty (30) inches) on front elevation

Basement

Hip Roof

Gable Accent

Side-by-Side Windows (one point per configuration over 1): Windows – In lieu of one point when over half of the windows are in a side-by-side configuration, if the elevation contains more than one side by side-by-side configuration, then one point per configuration shall be given. A group of three (3) windows in a row, aligned horizontally qualifies as side by side if the distance between does not exceed 8”.

Door Sidelight(s)

Door Transom

Window Transom

Side Garage Bump-out (minimum size 3' x 10', exclusive of garage area)

Dimensional Shingles

Sunburst

Group 1 items in excess of requirement may be applied to Group 2 or Group 3.

Two items from Group 3 or one item from Group 1 may count as one item in Group 2

GROUP 3 - Minimum of four (4) items required. (Check all that apply)

Decorative Door Architrave (masonry archway)

Decorative Window Architrave

Decorative Window Cornice

Decorative Trim Molding (including, at a minimum, fascia, soffit & corner trim)

Architectural Elements (e.g. quoins, pilasters, soldier courses, friezes, cornices, dentils, etc.)

Pent Roof or Pent Roof Return

Accent Siding

Shutters (on at least 2 windows)

Window Grids (permanent)

Decorative Front Door (minimum 25% glazing)

Decorative Gable Vents

Keystone (over all first floor, front façade windows and doors)

Windows in Garage Door

Foundation Landscape Package (minimum: 2 trees; 1 tree and 4 shrubs; or 8 shrubs)

Feature window over front door

Decorative porch column (round, 6" x 6" or trimmed out)

Trellis over garage door

Garage door hardware

Group 1 items in excess of requirement may be applied to Group 2 or Group 3.

Exhibit C-2

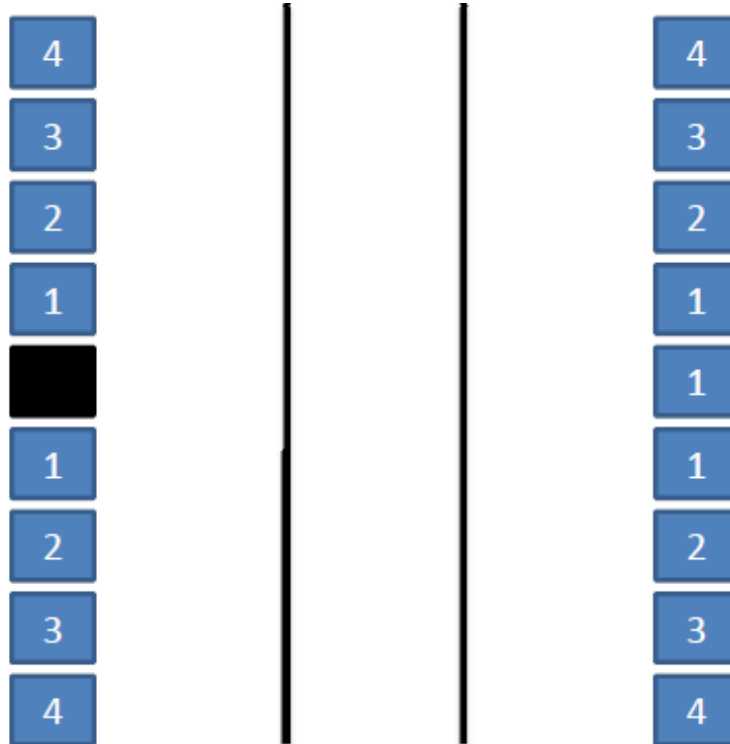
Side and Rear Elevation Design Compliance Guidelines and Checklist

Side and Rear Elevation Design Compliance Guidelines and Checklist
SIDE AND REAR GROUP 1
Change in Elevation of Roof Ridge may be achieved by the presence of any change in elevation of the primary roof ridge and any other non-dormer roof ridge (whether above or below the elevation of the primary roof ridge). The presence of a front or rear gable shall qualify as a ridge visible from the side elevation, and the presence of a rear gable shall qualify as a ridge visible from the rear elevation
Change in Direction of Roof Ridge may be achieved by the presence of any change in direction of the primary roof ridge and any other non-dormer roof ridge. The presence of a front or rear gable shall qualify as a ridge visible from the side elevation, and the presence of a rear gable shall qualify as a ridge visible from the rear elevation
Finished space pop out
Open or screened in porch
Bay or Oriel window
Bay door
Side by side windows
Exterior chase fireplace
Façade modulation.
Dormers
Roof Overhangs (minimum 12" on all elevations)
100% brick or stone (all elevations, counts as three design features selected from any group)
50% brick or stone
Covered porch or portico at least 4' deep from front of home to front of porch, or min 24 sf
A masonry wainscot (a min. of thirty (30) inches) shall qualify as one (1) point
A service door in the garage shall qualify as one (1) point
A group of three (3) windows in a row, aligned horizontally, shall qualify as one (1) point
SIDE AND REAR GROUP 2
Multiple Façade Colors (excluding masonry and trim)
Patio doors shall include any door that has over 50% glazing regardless of how door opens and a minimum of two doors (double width)
Windows and or garage hardware on the garage door shall qualify as one point.
Multiple building materials
Hip roof
Decorative Door Architrave (masonry archway)
Decorative Window Architrave
Decorative Window Cornice
Decorative trim molding
Architectural elements
Accent siding
Door transom
Window transom
Foundation landscape
Shutters
Windows grids
Integrated covered storage
Elevated deck with rail (min. 100 SF)

Exhibit C-4
Garage Door Hardware Examples



EXHIBIT D
Anti-Monotony Code



- 1** Home cannot be of the same elevation of the same plan as the Subject home. Must be a different color package. Home cannot be mirrored or flipped elevation.
- 2** Home cannot be of the same elevation of the same plan as the Subject home. Cannot be the identical color package as the Subject home but may have the same brick. Home cannot be mirrored or flipped elevation
- 3** Home may be of the same plan and elevation as the Subject home, but must be a different color package.
- 4** May be identical to Subject home.

EXHIBIT E
Single Family Illustrative Elevations



Pulte Homes of Indiana, LLC
11595 North Meridian Street, Suite 700
Carmel, IN 46032



Pulte Homes of Indiana, LLC
11595 North Meridian Street, Suite 700
Carmel, IN 46032



Pulte Homes of Indiana, LLC
11595 North Meridian Street, Suite 700
Carmel, IN 46032




Pulte Homes of Indiana, LLC
11595 North Meridian Street, Suite 700
Carmel, IN 46032



Pulte Homes of Indiana, LLC
11595 North Meridian Street, Suite 700
Carmel, IN 46032

EXHIBIT F-1
MODEL AND MARKETING SIGNAGE PLAN

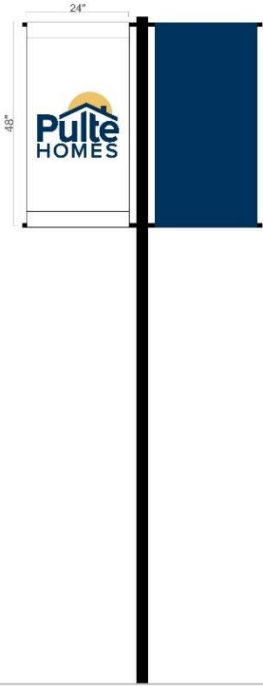
Pulte Banner Poles




2802 E. Troy Ave.
 Indianapolis, IN 46203
 317-788-0202 (Office)
 317-788-1579 (Fax)

Date: 2/23/21

541c (CET)
 134c (CET)




24"



48"

24"



Banner Pole Banners (double sided)

Quantity: **4 Setups | 8 Banners**

Finished Size: **24" w x 48" h**

Image Process: **CET Print | No Bleed**

Laminate: **None**

Sides: **Double**

Substrate: **18oz Opaque Banner**

Mount: **16' Banner Pole**

Artwork File Name: **N:/Builders/Pulte/New Style 2021 Pole Banners Pulte**

Digital File Name: **N:/DP/Builders/**

Digital File Name:

All designs & proofs are property of Wagner Signs & are not to be posted, recreated, or duplicated without a written release. Client is responsible for approval of final design & specifications including accuracy of spelling, numerals & grammar, prior to production. Please note, the colors shown are only a close representation of the final product.

17565 - Towns at Avalon North 4x8

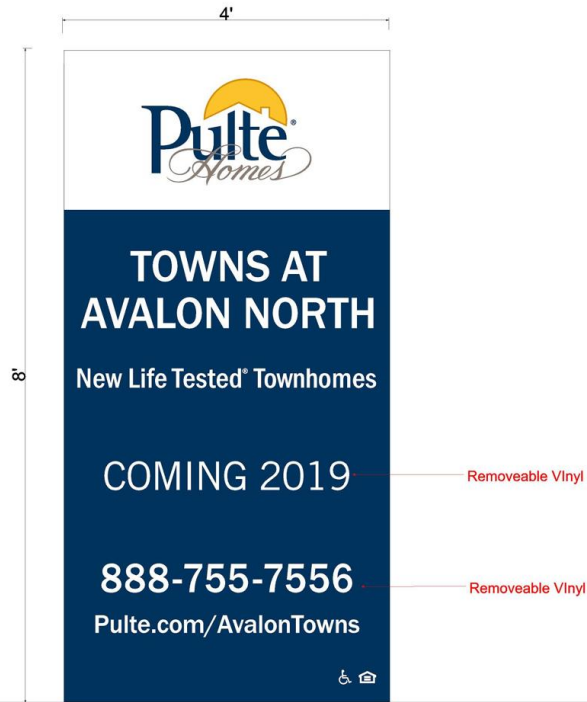


2802 E. Troy Ave.
Indianapolis, IN 46203
317-788-0202 (Office)
317-788-1579 (Fax)

SLK

Date: 1/28/19

- PMS 540c
- PMS 131c
- PMS Warm Grey 9
- PMS Cool Grey 3c (POSTS)



Quantity: 1
 Finished Size: 48"x96"
 Image Process: CET Print | 1/16" bleed
 Laminate: Gloss
 Sides: Double
 Substrate: .063 Aluminum
 Mount: 1"x4" x11' Aluminum Posts

Approved *X*: _____ | Date: _____

Artwork File Name: N:/Builders/Pulte/Towns at Avalon North/Entrance Sign.fs

22081 - Lancaster Townhomes



2802 E. Troy Ave.
Indianapolis, IN 46203
317-788-0202 (Office)
317-788-1579 (Fax)

SLK

Date: 3/16/21

- PMS 540c
- PMS 141c
- Posts: Cool Gray 1c



- Quantity: 2 (1 each of 2)
- Finished Size: as indicated above
- Image Process: CET Print | 1/16" bleed
- Laminate: Gloss
- Sides: Double
- Substrate: .040 Aluminum box sign
- Mount: 1" x 3" Aluminum tube frame and post

Artwork File Name: N:/Builder/Pulte/Community Name/New Style 2021/Model Entry Set-Up.fs

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Front

Back



**EXHIBIT F-2
MODEL AND MARKETING SIGNAGE MAP**



EXHIBIT F-2
MODEL AND MARKETING SIGNAGE MAP

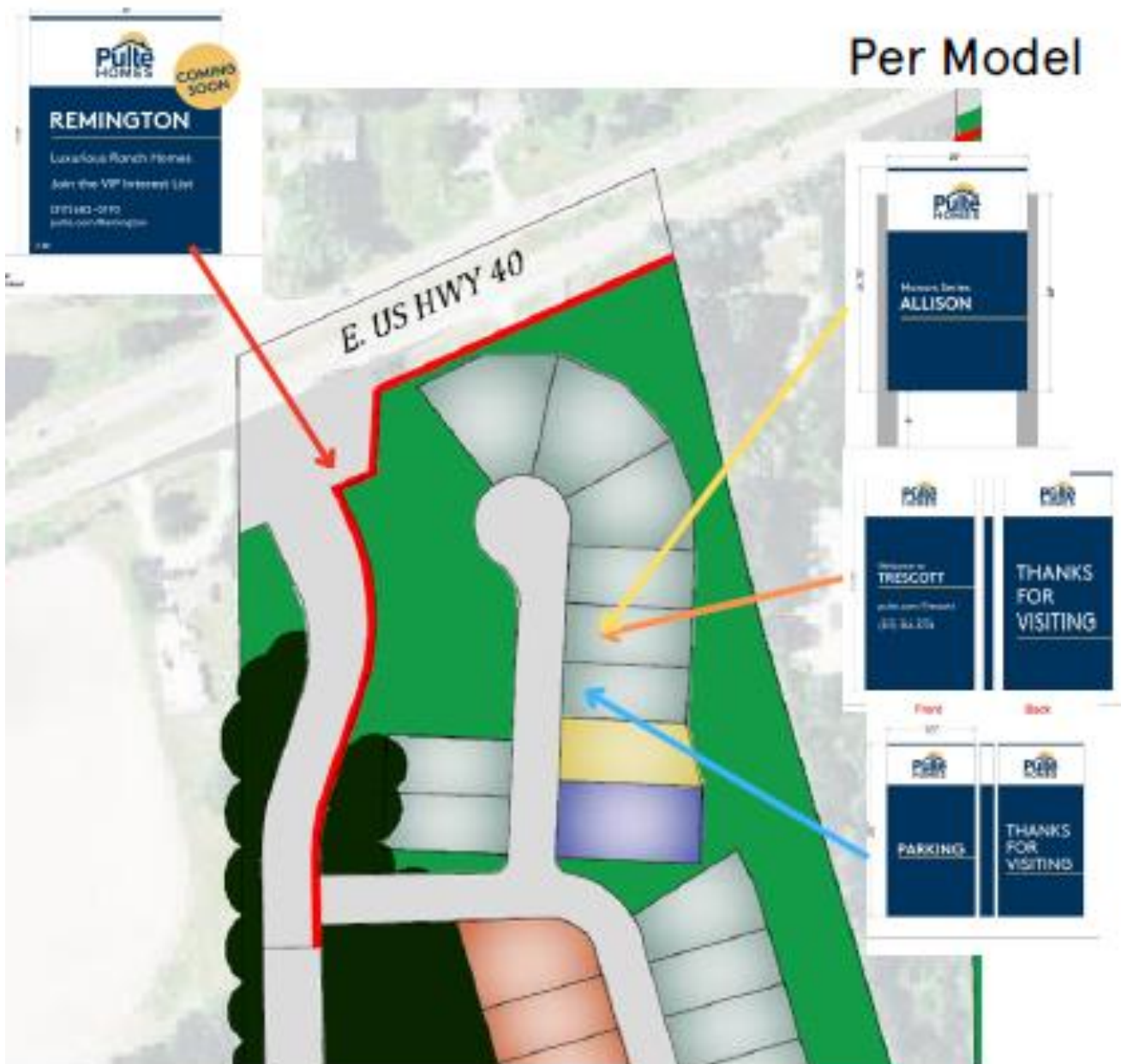
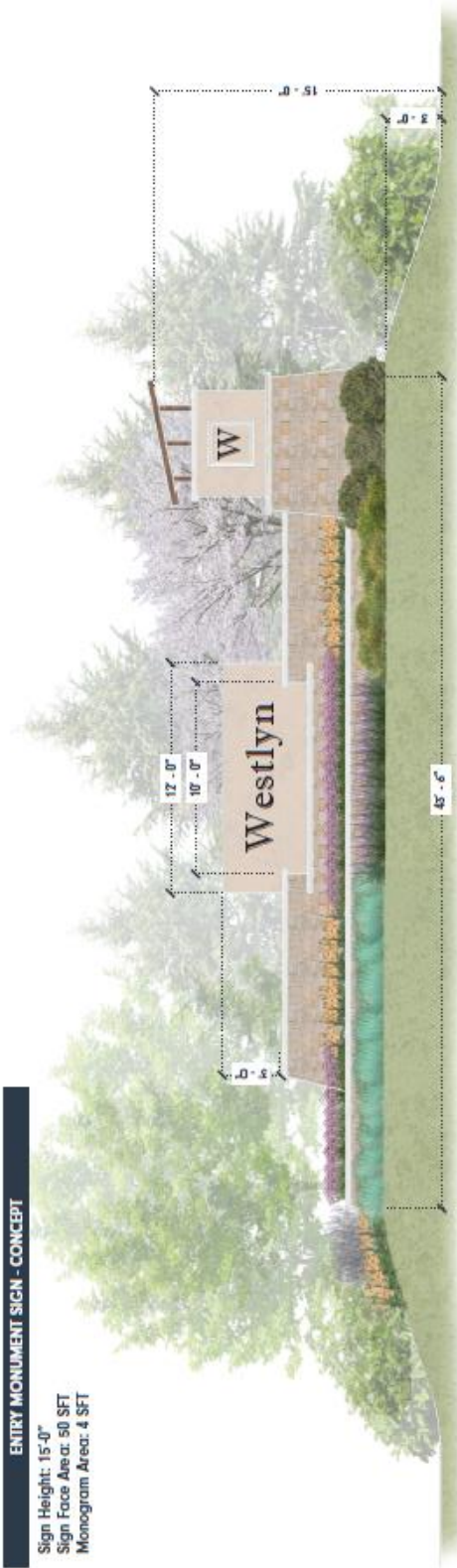


EXHIBIT H

Entrance Monument



ENTRY MONUMENT SIGN - CONCEPT

Sign Height: 15'-0"
 Sign Face Area: 50 SFT
 Monogram Area: 4 SFT

MATERIALS		PLANT PALETTE (FOREGROUND)			
Sign: Stucco Finish / EIFS	Wall: Stone Veneer	Apricot Sprinkles Daylily	Summer Beauty Allium	May Night Salvia	Russian Sage
Wall Cap: Concrete		Little Bluestem	Little Bunny Fountain Grass	Isanti Red Twig Dogwood	Shamrock Intberry

WESTON
ENTRY MONUMENT SIGNAGE: CONCEPT
 PAINEFIELD, INDIANA

SCALE: 1" = 10'
 0 5 10 20

NORTH

JUNE 02, 2025

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