

Westfield City Council Members

Mark Keen, President (District 1)

Steve Hoover (District 2)

Robert L. Horkay, (District 5)

Chuck Lehman, (District 4)

Joe Edwards (District 3)

Cindy L. Spoljaric (At Large)

Jim Ake Vice President (At Large)



CITY OF WESTFIELD, IN
CityCouncil_Meeting_Agenda_06_09_2014

Monday, June 09, 2014 at 07:00 PM

BOARD OR COMMISSION: City Council Meeting

MEETING DATE: Monday, June 09, 2014 at 07:00 PM

MEETING PLACE: Westfield City Hall- Assembly Room

***THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF
THE COUNCIL***

AGENDA

Pledge of Allegiance

Invocation

Opening of Meeting

Note the presence of a quorum

Announce any changes to Agenda

Approval of Minutes:

Approval of City Council minutes of May 12, 2014 (regular meeting)

Documents: [Minutes- 5/12/14](#)

Guests:

Residents who wish to address the Council on items not on the agenda may do so at this time.

Council Response to Guest Comments

Claims:

Approval of Claims

Documents: [Claims](#)

Miscellaneous Business/Special Recognition:

Special Presentation: Bike It! 5th Annual Benefit Ride

Special Presentation: Proclamation- Hamilton County Amateur Radio Emergency Service Day

Miscellaneous Business: Quarterly Update from Westfield Youth Assistance Program

Miscellaneous Business: Semi-Annual Update from Westfield Fire Department

Miscellaneous Business: ~~Spring Mill Station Economic Development Area~~ Update(*POSTPONED*)

Documents: [EDA Boundary](#)

Old Business:

Resolution 14-113: Fiscal Plan for Annexation Ordinance 14-18

Adoption Consideration- June 9, 2014

Documents: [Res. 14-113](#)

Ordinance 14-18: 100% Voluntary Annexation of approximately 163 acres located between 199th Street and 206th Street, east of Horton Road (Chatham Hills – Phase Three)

Council Introduction- May 12, 2014

Public Hearing- May 12, 2014

Adoption Consideration- June 9, 2014

Documents: [Ord. 14-18](#) | [Reference Only: Location Map](#)

Resolution 14-114: Fiscal Plan for Annexation Ordinance 14-19

Adoption Consideration- June 9, 2014

Documents: [Res. 14-114](#)

Ordinance 14-19: 100% Voluntary Annexation of approximately 103 acres located north of 206th Street and east of Oak Ridge Road (Chatham Hills – Phase Four)

Council Introduction- May 12, 2014

Public Hearing- May 12, 2014

Adoption Consideration- June 9, 2014

Documents: [Ord. 14-19](#) | [Reference Only: Location Map](#)

Ordinance 14-23: Amendment to Parks & Recreation Special Event Policy

Council Introduction- May 12, 2014

Adoption Consideration- June 9, 2014

Documents: [Ord. 14-23](#) | [For Reference Only: Redline Copy- Amendment to Parks & Recreation Special Event Policy](#)

Ordinance 14-24: Additional Appropriation Fund Transfer

Council Introduction- May 12, 2014

Public Hearing- June 9, 2014

Adoption Consideration- June 9, 2014

Documents: [Ord. 14-24](#)

New Business:

Ordinance 14-25: Re-Establishment of Cumulative Capital Development Fund

Council Introduction- June 9, 2014

Public Hearing- July 14, 2014

Adoption Consideration- July 14, 2014

Documents: [Ord. 14-25](#)

Ordinance 14-26: Adoption of Unified Development Ordinance to Replace Zoning and Subdivision Control

Council Introduction- June 9, 2014

APC Introduction- June 16, 2014

APC Public Hearing- July 21, 2014

APC Recommendation Consideration- August 4, 2014

Adoption Consideration- August 11, 2014

Documents: [Ord. 14-26](#) | [Staff Report](#) | [Unified Development Ordinance](#)

Ordinance 14-27: 151st Street Vacation of Right-of-Way

Council Introduction- June 9, 2014

Public Hearing- June 9, 2014

Adoption Consideration- July 14, 2014

Documents: [Ord. 14-27](#) | [Reference Only: Harmony Site Plan](#)

Ordinance 14-28: Kalorama Park Annexation

Council Introduction- June 9, 2014

Public Hearing- June 9, 2014

Adoption Consideration- July 14, 2014

Documents: [Ord. 14-28](#) | [Reference Only: Location Map](#)

Resolution 14-115: Establishment of Economic Revitalization Area for 17406 Tiller Court and 17408 Tiller Court

Adoption Consideration- June 9, 2014

Documents: [Res. 14-115](#) | [For Reference Only: Aerial Location Map](#)

Resolution 14-117: Frampton Estates Zoning Commitments Amendment

Council Introduction- June 9, 2014
APC Public Hearing- July 7, 2014
APC Recommendation Consideration- July 21, 2014
Council Adoption Consideration- August 11, 2014
Documents: [Res. 14-117 & Commitments](#) | [Zoning Map](#)

Resolution 14-118: Bridgewater Zoning Commitments Amendment
Council Introduction- June 9, 2014
APC Public Hearing- July 7, 2014
APC Recommendation Consideration- July 21, 2014
Council Adoption Consideration- August 11, 2014
Documents: [Commitment Modification](#) | [Reference Only: Proposed Site Plan](#)

~~Ordinance 14-30: Kroger Depot and Fuel Center PUD (*Postponed at Kroger's request*)~~
~~Council Introduction- June 9, 2014~~
~~APC Public Hearing- June 16, 2014~~
~~APC Recommendation Consideration- July 7, 2014~~
~~Council Adoption Consideration- August 11, 2014~~
Documents: [Ord. 14-30](#)

Ordinance 14-31: Amending the Statement of Investment Policy, Objectives & Guidelines for Utility Proceeds
Council Introduction- June 9, 2014
Adoption Consideration- July 14, 2014
Documents: [Ord. 14-31](#) | [Redline- Statement of Investment Policy, Objectives & Guidelines](#)

City Council Comments

Mayor Comments

Adjourn

Executive Session: I.C. 5-14-1.5-6.1 (b) (2) (B): Legal Issues

Working Meeting

ORDINANCE 14-18

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in Exhibit A and Exhibit B (the “Annexation Area”) have filed a petition with the Council; and,

WHEREAS, the Council has conducted a public hearing on May 12, 2014, as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 14-1##); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. The Annexation Area, generally located between 199th Street and 206th Street, east of Horton Road, and adjacent to the existing corporate limits along the eastern boundary of the Annexation Area, is hereby annexed to and declared to be a part of the City.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF JUNE, 2014.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Charles Lehman	_____ Charles Lehman	_____ Charles Lehman
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 14-18** was delivered to the Mayor of Westfield
on the _____ day of _____, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 14-18
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 14-18
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

EXHIBIT A
ANNEXATION AREA

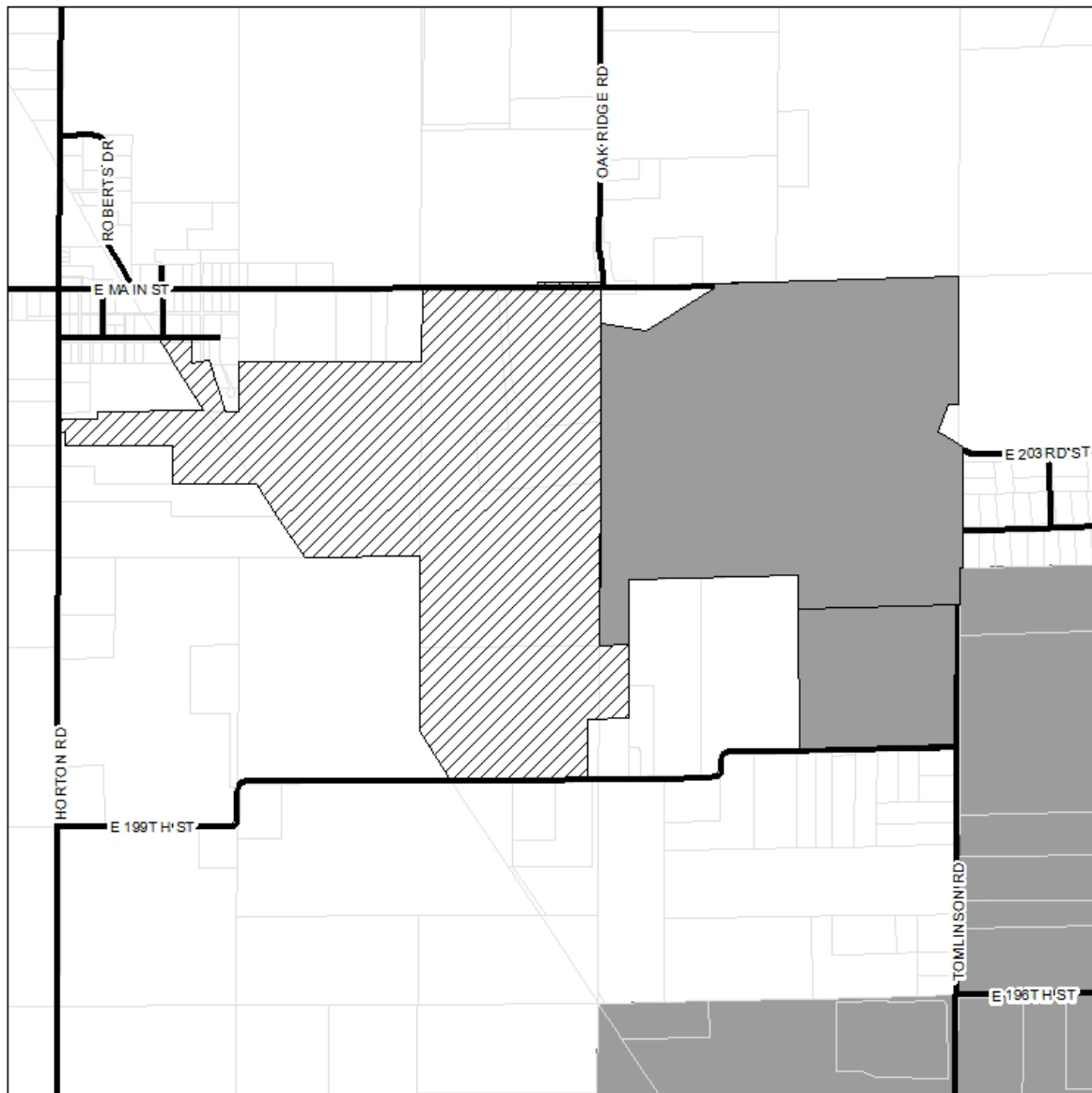


EXHIBIT LEGEND

- | | |
|--|---|
|  ANNEXATION AREA |  PARCELS |
|  EXISTING CITY LIMITS |  STREETS |

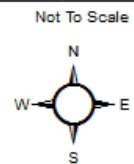


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTION

This description includes seven (7) parcels of land:

Parcel No. 08-05-23-00-00-012.001
Parcel No. 08-05-23-00-00-012.000
Parcel No. 08-05-24-00-00-039.000
Parcel No. 08-05-23-00-00-013.000
Parcel No. 08-05-23-00-00-007.001
Parcel No. 08-05-23-00-00-011.000
Parcel No. 08-05-23-01-03-014.000

Parcel No. 08-05-23-00-00-012.001
Parcel No. 08-05-23-00-00-012.000
Parcel No. 08-05-23-00-00-013.000
Parcel No. 08-05-24-00-00-039.000

Part of the Northeast and Southeast Quarters of Section 23 and part of the Northwest and Southwest Quarters of Section 24, all in Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 47.15 feet to the southeast corner of the 0.336-acre parcel described in Instrument Number 200100054118, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter 636.35 feet to the northwest corner Parcel No. 08-05-24-00-00-040.000 ("Parcel 40") as described in Instrument Number 9508535, on file in the Office of said Recorder, the following three (3) courses are along the north, east and south lines of said Parcel 40; 1)thence North 88 degrees 24 minutes 37 seconds East 222.50 feet; 2)thence South 00 degrees 15 minutes 45 seconds West 1,956.43 feet; 4)thence South 88 degrees 24 minutes 37 seconds West 1.52 feet to the east line of Parcel No. 08-05-24-00-00-039.000 ("Parcel 39"), as described in said Instrument Number 9508535; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Parcel 39 a distance of 540.33 feet to the north line of the 3.01-acre parcel described in Instrument Number 2007034241, on file in the Office of said Recorder, the following two (2) courses are along the north and west lines of said 3.01-acre parcel; 1)thence South 88 degrees 45 minutes 51 seconds West 294.37 feet; 2)thence South 00 degrees 10 minutes 40 seconds West 445.58 feet to the south line of Parcel No. 08-05-23-00-00-013.000 as described in said Instrument Number 9508535; thence South 89 degrees 51 minutes 00 seconds West along said south line 971.17 feet to the northeast right-of-way line of a railroad; thence North 33 degrees 22 minutes 47 seconds West along said railroad right-of-way line 508.24 feet to the west line of the East Half of said Southeast Quarter; thence North 00 degrees 16 minutes 52 seconds East along

the west line of said East Half 560.81 feet to the southwest corner of the East Half of said Northeast Quarter; thence North 00 degrees 11 minutes 30 seconds East along the west line of the East Half of said Northeast Quarter 2,639.20 feet to the northwest corner of the East Half of said Northeast Quarter; thence North 89 degrees 49 minutes 09 seconds East along the north line of said Northeast Quarter 852.77 feet to the northwest corner of said 0.336-acre parcel, the following two (2) courses are along the west and south lines of said 0.336-acre parcel; 1)thence South 00 degrees 11 minutes 42 seconds East 47.27 feet; 2)thence North 89 degrees 48 minutes 18 seconds East 475.41 feet to the POINT OF BEGINNING. Containing 120.49 acres, more or less.

EXCEPT:

Parcel No. 08-05-24-00-00-040.000

Beginning at the SE Corner of the NE $\frac{1}{4}$ of Section 23, Township 19N, Range 3E

N 89-11-17 E Distance: 216.612'

N 00-04-29 E Distance: 1,955.162'

S 87-09-56 W Distance: 207.684'

S 00-20-40 W Distance: 1,947.995'

Back to the point of beginning, containing 10 acres more or less.

ALSO INCLUDING:

Parcel No. 08-05-23-00-00-011.000

Parcel No. 08-05-23-01-03-014.000

A part of the North Half of Section 23, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 23, Township 19 North, Range 3 East; thence South 00 degrees 11 minutes 40 seconds west (assumed bearing) 532.00 feet along the east line of the west half said Northeast Quarter to the Northeast Corner of a 10 acre tract of real estate described in miscellaneous record 138, page 456 and the point of beginning of this description; thence south 00 degrees 11 minutes 40 seconds west 1438.00 feet along the east line of the West Half of said Northeast Quarter to the Southeast Corner of a 29 acre tract of real estate described in miscellaneous record 138, page 456; thence South 89 degrees 49 minutes 15 seconds West 853.78 feet along the south line of said 29 acre tract and said south line extended westerly to the centerline of the abandoned Monon railroad; thence North 33 degrees 25 minutes 35 seconds West 1897.30 feet along said centerline to the westerly extension of the north line of a 1.79 acre tract of real estate described in instrument 9809817997; thence North 89 degrees 47 minutes 54 seconds East 229.73 feet along said westerly extension and along the north lines of said 1.79 acre tract (the following 3 courses are along the easterly lines of said 1.79 acre tract); 1) thence South 00 degrees 07 minutes 27 seconds West 152.00 feet; 2) thence North 89 degrees 47 minutes 54 seconds East 123.75 feet; 3) thence South 18 degrees 24 minutes 07 seconds

East 386.27 feet to the north line of said 29 acre tract; thence North 89 degrees 49 minutes 15 seconds East 107.46 feet along the north line of said 29 acre tract to the Southwest Corner of said 10 acre tract; thence North 0 degrees 11 minutes 40 seconds East 370.00 feet to the Northwest Corner of said 10 acre tract; thence North 89 degrees 49 minutes 15 seconds East 1320.00 feet to the point of beginning. Containing 43.066 acres, more or less.

ALSO INCLUDING:

Parcel No. 08-05-23-00-00-007.001

A part of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, more particularly described as follows:

Beginning at a point on the West line of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, said point being South 00 degrees 05 minutes 36 seconds West (assumed bearing) 955.10 feet from a point marking the Northwest corner of the East Half of the said Quarter Section; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 279.8 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 50.00 feet; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 776.91 feet to a point on the Western right-of-way line of the Monon Railroad; thence South 33 degrees 29 minutes 09 seconds East along the Westerly right-of-way line of said Railroad a distance of 655.37 feet; thence North 89 degrees 46 minutes 55 seconds West (North 89 degrees 57 minutes 30 seconds West deed bearing) a distance of 572.72 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 293.41 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 796.49 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 92.00 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 50.00 feet to a point on the West line of the East Half of the said Quarter Section; thence North 00 degrees 05 minutes 36 seconds East along the West line of the East Half of the said Quarter Section a distance of 100.96 feet to the point of beginning, containing 9.257 acres, more or less.

Together with the Westerly Half of the right of way of the former Monon Railway East of and adjacent thereto as set out in Instruments recorded December 24, 2003 as Instrument Number 200300126946 and February 10, 2005 as Instrument Number 200500008158 in the Office of the Recorder of Hamilton County, Indiana.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206th Street, Worman Street, Horton Road and East 199th Street.

EXHIBIT A
ANNEXATION AREA

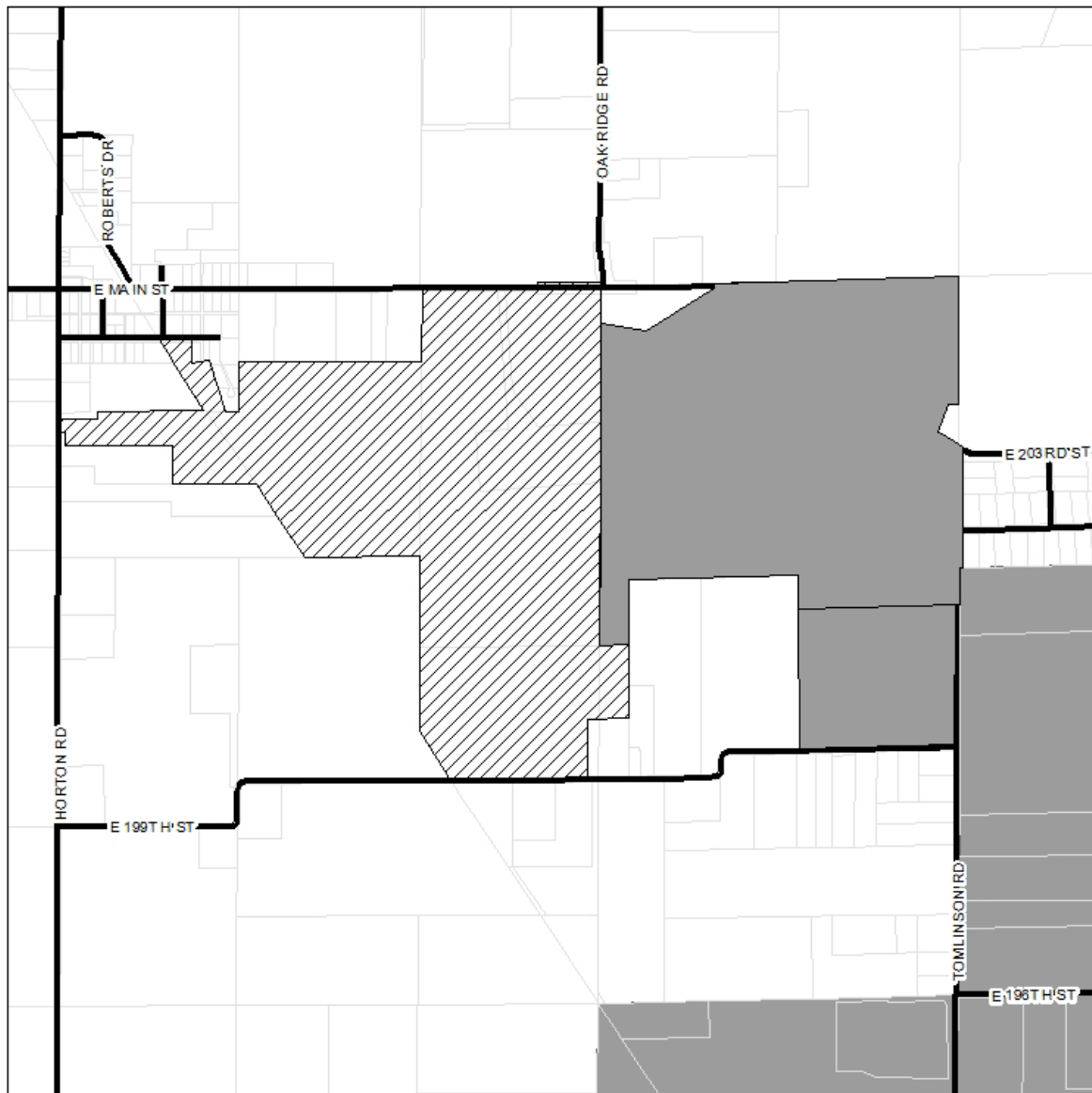
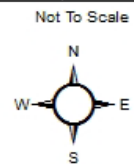


EXHIBIT LEGEND

- | | |
|--|---|
|  ANNEXATION AREA |  PARCELS |
|  EXISTING CITY LIMITS |  STREETS |



RESOLUTION 14-114

A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF LANDS DEFINED IN ORDINANCE 14-19

WHEREAS, the City of Westfield (the “City”) desires to annex certain parcels as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) into the municipality; and,

WHEREAS, pursuant to Indiana Code § 36-7-4-3.1 a fiscal plan must be prepared and adopted by resolution prior to such annexation; and,

WHEREAS, the required fiscal plan, included as **Exhibit C** (the “Fiscal Plan”) and attached hereto and made a part hereof, has been prepared and presented to the Council for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code § 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED that the Fiscal Plan attached hereto and made a part hereof is hereby approved and adopted by the Westfield City Council.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

ADOPTED AND PASSED THIS _____ DAY OF JUNE, 2014, BY THE WESTFIELD CITY COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that RESOLUTION 14-114 was delivered to the Mayor of Westfield
on the _____ day of June, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 14-114
this _____ day of June, 2014.

J. Andrew Cook, Mayor

I hereby VETO Resolution 14-114
this _____ day of June, 2014.

J. Andrew Cook, Mayor

EXHIBIT A **ANNEXATION AREA**

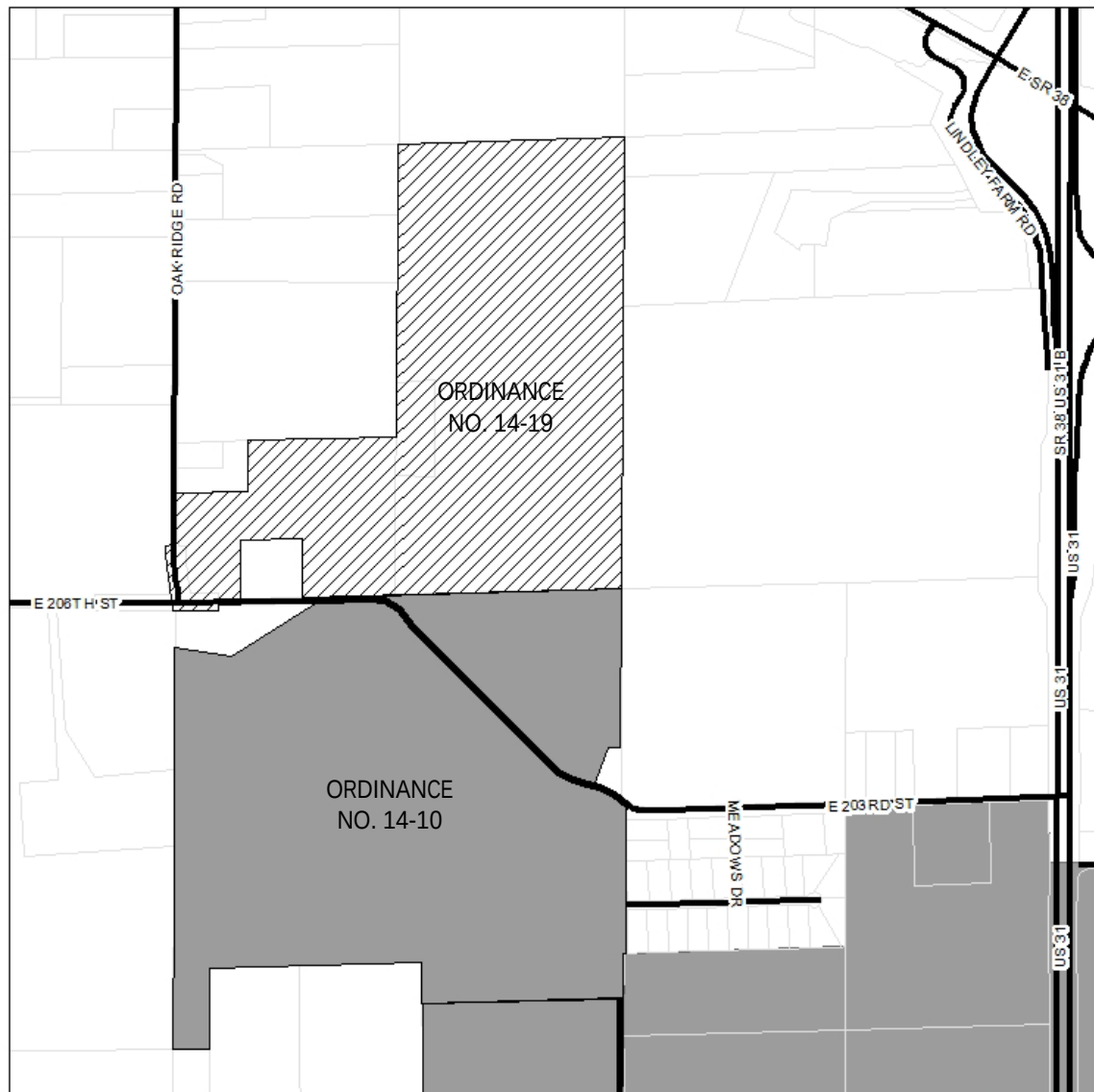


EXHIBIT LEGEND

- | | | | |
|---|----------------------|---|---------|
|  | ANNEXATION AREA |  | PARCELS |
|  | EXISTING CITY LIMITS |  | STREETS |

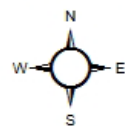


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTIONS

This description includes three (3) parcels of land:

Parcel No. 08-05-13-00-00-027.000

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

Parcel No. 08-05-13-00-00-027.000

Part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 335.44 feet to the northwest corner of the 0.467-acre parcel described in Instrument Number 200100054117, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter 307.26 feet to a point that is 148.13 feet south of the southeast corner of the 1.0-acre parcel described as Parcel II in Instrument Number 9419576, on file in the Office of said Recorder, the following two (2) courses are parallel with the south and east lines of said Parcel II; 1)thence North 88 degrees 25 minutes 07 seconds East 438.53 feet; 2)thence North 00 degrees 11 minutes 12 seconds East 298.13 feet to a point on the north line of Parcel I as described in said Instrument Number 9419576, said point being 148.13 feet east of the northeast corner of said Parcel II, the following two (2) courses are along the north and east lines of said Parcel I; 1)thence North 88 degrees 25 minutes 07 seconds East 873.47 feet; 2)thence South 00 degrees 40 minutes 12 seconds West 930.75 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 545.43 feet to the east line of the 3.00-acre parcel described in Instrument Number 9563173, on file in the Office of said Recorder, the following three (3) courses are along the east, north and west lines thereof; 1)thence North 00 degrees 11 minutes 12 seconds East 344.80 feet; 2)thence South 89 degrees 06 minutes 56 seconds West 363.00 feet; 3)thence South 00 degrees 11 minutes 12 seconds West 352.10 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 141.52 feet to the west line of said 0.467-acre parcel, the following six (6) courses are along the west and north lines thereof; 1)thence North 00 degrees 10 minutes 28 seconds West 44.59 feet; 2)thence South 89 degrees 49 minutes 32 seconds West 165.62 feet; 3)thence North 09 degrees 13 minutes 08 seconds West 95.60 feet to the point of curve of a non-tangent curve concave to the east, having a radius of 940.00 feet, the radius point of which bears North 80 degrees 46 minutes 53 seconds East; 4)thence northerly along said curve a distance of 154.30 feet to a point that bears North 89 degrees 48 minutes 49 seconds West from said radius point; 5)thence North 00 degrees 11 minutes 12 seconds East 34.10 feet; 6)thence North 89 degrees 48 minutes 48 seconds West 60.00 feet to the POINT OF BEGINNING. Containing 21.45 acres, more or less.

ALSO INCLUDING:

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

The East Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the SE corner of said Southwest Quarter, the following four (4) courses are along the south, west, north and east lines of said East Half; 1)thence South 87 degrees 57 minutes 50 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 1,322.01 feet; 2)thence North 00 degrees 16 minutes 25 seconds East 2,660.92 feet; 3)thence North 88 degrees 15 minutes 49 seconds East 1,325.81 feet; 4)thence South 00 degrees 21 minutes 41 seconds West 2,654.14 feet to the POINT OF BEGINNING. Containing 80.71 acres, more or less.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206th Street and Oak Ridge Road.



Fiscal Plan for the Voluntary Annexation of Real Estate Contiguous to the City of Westfield, Indiana

**Generally described as real estate located
North of 206th Street and east of Oak Ridge Road**

**This Fiscal Plan Supports
Ordinance 14-19**

**This Fiscal Plan is Exhibit C
of Resolution 14-114**

Introduction

The purpose of this report is to outline the estimated fiscal impact of annexation upon the City of Westfield, Hamilton County, Indiana (the “City”) and ability of the City to provide necessary municipal capital and non-capital services to an area proposed for annexation. The area proposed for annexation that is analyzed in this report is referred to as the “Annexation Area”, as further described herein, and is located adjacent to the existing corporate limits of the City. The annexation is one hundred percent (100%) voluntary.

The Indiana Statute (I.C. § 36-4-3-13(d)) governing annexation activity by the City requires the preparation of a written fiscal plan and the establishment of an annexation policy, by resolution, as of the date of the annexation ordinance. The fiscal plan is required to present cost estimates and a plan for the extension of municipal services to the area proposed for annexation. Municipal services of a non-capital nature are required to be provided within one (1) year of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the city limits. Municipal services of a capital improvement nature are required to be provided within three (3) years of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the City’s corporate limits.

This report contains an analysis of the revenues and expenditures that will result from the annexation of certain territory by the City. While the City is committed to providing the highest quality service to all areas of the community, the dollar figures presented here are only estimates and are subject to change. Variations may occur depending upon the rate and extent of future development, an increase or decrease in the cost of providing municipal services, or fluctuations in future property assessments.

City of Westfield Annexation Philosophy and Plan
--

A. Fiscal Policy of the City

The annexation policies of the City are expected to correspond with the fiscal policies of the City. Therefore, it is the policy of the City that annexation(s) should only be undertaken under circumstances which are not adverse to the fiscal interests of the current residents and taxpayers of the City.

B. General Philosophy and Plan

The philosophy and plan of the City is to annex real estate into its corporate limits in accordance with the terms of Title 36, Article 4, Chapter 3 of the Indiana Code. The adoption of an ordinance authorizing such annexation shall:

1. Provide the residents of the City with a broad, stable and growing economic tax base; and,
2. Provide a plan for the quality and quantity of urban development in a coordinated manner; and,
3. Provide for preservation and enhancement of the public's overall health, safety, and welfare, regarding all of the City's residents; and,
4. Allow for the provision of services to the annexed area in a cost effective manner that will not significantly impact existing residents.

C. Further the City Shall:

1. First seek the voluntary annexations of new developments contiguous to the current City boundaries. It is the preference of the City to implement annexation action under the most amenable conditions possible. Therefore, in cases where it is practical and possible to achieve consensus, the City prefers to proceed with annexation under the "voluntary" provisions of the statute (I.C. § 36-4-3-5);
2. Enhance the existing assessed valuation of the municipality through voluntary annexations;
3. Consider any requests for voluntary annexation from existing parcels; and
4. Consider any forced annexations that will positively impact the future economic development opportunity of the community.

Parcel Analysis

A. Description

The Annexation Area is generally described as real estate located north of 206th Street and east of Oak Ridge Road (see attached **Exhibit 1**) and encompasses an area of approximately one hundred and three (103) acres. The Annexation Area is the fourth in a series of annexations of property zoned the Chatham Hills PUD District (Ordinance No. 13-24).

B. Contiguity

Property contiguous with the City's corporate limits may be annexed into the City's corporate limits (I.C. § 36-4-3-1.5). I.C. § 36-4-3-1.5 provides that property is considered "contiguous" if at least one-eighth (1/8) of the aggregate external boundaries of the property coincides with the boundaries of the City's corporate limits. In determining if property is contiguous, a strip of land less than one hundred fifty (150) feet wide which connects the City's corporate limits to the Annexation Area is not considered a part of the boundaries of either the City's corporate limits or the property to be annexed. The Annexation Area meets the contiguity requirements of I.C. § 36-4-3-1.5.

C. Population and Structures

The Annexation Area has an estimated three (3) inhabitants and contains one (1) residential structure, an accessory structure and several agriculturally-related structures.

D. Zoning

The Annexation Area is currently located within the planning and zoning jurisdiction of the City through a joinder agreement with Washington Township served by the Westfield-Washington Township Advisory Plan Commission. If annexed, then the parcels will remain in the same planning jurisdiction. The zoning designation of the Annexation Area is Planned Unit Development District (Chatham Hills PUD District Ordinance No. 13-24).

E. Property Tax Assessment

The 2013 pay 2014 total net assessed valuation of all real property and its improvements located within the Annexation Area is \$250,600.

F. Municipal Property Tax Rate

The existing 2013 pay 2014 property tax rate assessed to all real property and its improvements within the Annexation Area is \$2.64780 per \$100 of assessed valuation. This is the total Washington Township tax rate assessed to all real property and its improvements, subject to any property tax "cap" which may apply.

G. Council District

The Annexation Area will be incorporated into Council District 3.

H. Proposed Build-out

The build-out of the Annexation Area is planned to include a portion of a larger residential golf course development pursuant to the approved Chatham Hills Planned Unit Development District. Site construction is planned by the developer to be initiated in 2017. For purposes of this analysis, the following improvements are projected to be completed during the five (5) year period following annexation:

a. Single-Family Homes:

- 2018: Sixty (60) units¹ with an estimated market value of \$600,000 per unit.

b. Golf Course Uses:² The Annexation Area is planned to include three (3) holes (approximately thirty (30) acres) of a larger eighteen-hole Pete-Dye designed golf course that is projected to begin construction in late 2014 and completed in 2016.

Estimated property taxes and revenue generated from the projected build-out are set forth in **Exhibit 3**, Table 1 and Table 2.

¹ Improvements are estimated to be comparable to the following subdivisions in Westfield: Whistling Straits of the Bridgewater Club.

² Improvements are estimated to be comparable to the Bridgewater Club in Westfield.

Municipal Services

The City currently extends to its citizens a range of public services. These services are provided by different municipal departments. Each department has a unique function within the municipal service system of the City. These departments include: Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development.

Each of the municipal service sectors are analyzed in this section to determine the impact of annexation on their ability to provide both capital and non-capital services to the area proposed for annexation as required by Indiana law. The method used to determine the fiscal impact of annexation is known as "fiscal impact analysis".

Fiscal impact analysis is a method of evaluation that is used to measure and project the direct public costs and revenues associated with residential and non-residential growth within a municipality. It explores public (government) costs and revenues. It does not consider private costs of public actions. Therefore, special assessments on real property or the value of land dedications required of developers are considered private revenues. Individual services contracted for homeowners associations, neighborhoods, and similar groups are also considered private.

All municipal departments were analyzed to determine the extent of the effect of annexation. The Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development were identified as being affected by the annexation of new territory.

The cost estimates of planned services to be furnished to the Annexation Area have been computed based on the 2013 budget. Input from all departments was gathered, and a careful analysis was prepared in an effort to meet all the requirements of Indiana Code § 36-4-3. Each capital service was assessed by Department of Public Works and where required, specific improvements and costs have been programmed. The findings and proposed improvements for each capital service are detailed in this report. Some services may already be available to the Annexation Area, while others will have to be initiated. In each case, it is shown in this report, that service is being/will be proposed to the Annexation Area, in a manner equivalent in standard and scope to the services being providing within the City's corporate boundaries.

The existing levels and costs of service provisions for each department are outlined below:

A. Police Department

The forty (40) uniformed officers of the Police Department of the City provide the citizens of the City with public safety and emergency response service throughout the corporate limits of the City. The individual services include: neighborhood patrols for the prevention of crime; detection and apprehension of criminal offenders; resolution of domestic disputes; anti-crime and anti-drug public education; traffic control and accident reporting; and the creation and maintenance of a general feeling of safety and security throughout the community.

The services provided by the Police Department vary in their individual requirements for personnel and financial resources and are subject to annual review and approval by the City Council.

Annual operating costs associated with the addition of one (1) uniformed police officer(s) include salary, overtime pay, holiday pay, clothing and uniform allowance, health insurance, training, pension benefits and administrative overhead.

Capital one-time costs associated with the addition of one (1) uniformed police officer(s) include a patrol vehicle and related equipment. These costs have been factored together to arrive at necessary service level increases for various areas under consideration for annexation.

The City will provide police service to the Annexation Area upon the effective date of annexation through the extension of an existing patrol area with existing personnel.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned services of a capital improvement nature within three years: Any additional capital requirements can be accommodated in future budgets through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

B. Fire Department

The seventy (70) Firefighters, EMS and Paramedics personnel employed by the Fire Department of the City respond to fire emergencies, chemical and hazardous material spills, and general life safety emergencies throughout the corporate limits of the City and throughout the remainder of Washington Township, Hamilton County (the "Township").

The personnel of the Fire Department are assigned to three (3) fire stations located on Dartown Road (headquarters), 151st Street, and Grassy Branch Road. Each station is the primary respondent to emergencies within its assigned geographical area. Secondary response is provided by personnel and equipment by volunteer and paid city and town fire departments in adjacent communities.

The existing Fire Department currently has the entire responsibility for services throughout the Township; therefore, the annexation of this new territory will not change the impact or the need for additional personnel.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel because current services already serve the Township.

Provision of planned service of a capital nature within three years: The capital services required for future growth in the fire services for the Township will be managed through the

annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

C. Public Works Department

a. Street Division

The Street Division is part of the Public Works Department of the City and has responsibility for the maintenance and upkeep of all streets and public rights-of-way within the corporate limits of the City. Maintenance activities include potholes and curb repair, mowing of weeds and other vegetation, street sweeping, sign maintenance and replacement, pavement striping, and snow removal. It is also responsible for reconstruction of sidewalks and policing of rights-of-way to support safe travel.

Other responsibilities include resurfacing and reconstruction of all public roads with the exception of the roads falling under the jurisdiction of the Indiana Department of Transportation or the Hamilton County Highway Department. These operations are primarily funded from the Motor Vehicle Highway (“MVH”) fund, the Local Road and Street Fund (“LR&S”), and the Road and Street Improvement Fund. The budgeted expenditures for MVH and LR&S is approximately \$980,000 for 2014, which is approximately \$5,280 per road mile.

Provision of planned service of a non-capital nature within one year: Street Division services can be provided for the Annexation Area with existing personnel, based upon the road miles of approximately 0.19 miles (1,010 feet) for 206th Street and Oak Ridge Road and the estimated 1.5 miles of new road miles to be built by the developer within the Annexation Area. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

Provision of planned service of a capital nature within three years: The intent of the City with respect to future road construction is to require future developers to improve, or contribute financially to the improvement of existing roadways in accordance with the impact of any proposed development. Potential road improvements are evaluated each year and the Annexation Area will be part of that annual review process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3 and Table 4.

b. Water and Sewer Services

Citizens of Westfield Water, LLC (the “Utility”) operates the water and wastewater works within the City. Services for both water and sewer are provided within the corporate limits of the City and into portions of the Township. The Annexation Area is not currently served by the Utility’s water and sewer service.

The Utility provides the service of pumping water from the water source, treating the water to some level, distributing the water into the system of water lines, storing the water for peak demand and fire protection purposes, and maintaining the system, in its entirety. The Utility meets the parameters of providing access to water utility service, to a property, when a water distribution line is within the distributive area of a main trunk

line or lateral line. When water lines are already developed with respect to a specific property, the water utility is made directly available to that property when a water line is located within three hundred (300) lineal feet of the nearest property line of the developed parcel.

Fire hydrants are generally supported by the user charge system of the Utility. The developer of any new development is generally responsible for installing the fire hydrants necessary to protect the proposed development from catastrophic fire, unless otherwise provided by the Utility or the Utility's policies.

The installation and extension of sewer service for any proposed development in the Annexation Area will be provided in accordance with the Utility's policies. The Utility provides access to wastewater collection, treatment and disposal service to all properties within the corporate limits of the City. The Utility meets the parameters of providing access to wastewater service when the parcel is within the drainage watershed of a major interceptor, trunk or lateral sewer which ultimately delivers wastewater to the wastewater treatment plant. In cases where sewer laterals are made available to developed parcels, the standard for service is met when the Utility's sewer is located within three hundred (300) lineal feet of the nearest property line of the parcel.

Property tax revenues are not a part of the Utility's budget. In addition to monthly service charges, the Utility has established a system of fees for other services such as various connection fees, and/or supplemental fees for special facilities installed to meet the needs and demands of various customers. The cost of extending water and wastewater lines within the Utility's service area is done in accordance with the Utility's policies. The Utility is also subject to regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

D. Parks and Recreation Department

Services by the Parks and Recreation Department of the City are funded out of the City's Parks and Recreation Department budget. The existing inventory of facilities include: Armstrong Park, Old Friends Cemetery Park, Osborne Park, Raymond Worth Park, Quaker Park, Simon Moon Park, Asa Bales Park, Liberty Park, Hadley Park and Freedom Trail Park. The existing inventory of trails include: Monon, Midland Trace, Natalie Wheeler, Anna Kendall, and Cool Creek. These parks and recreation operations are supported by the City's General Fund. The Annexation Area is not anticipated to have an appreciable effect on existing park facilities and no additional costs for this function are anticipated.

Provision of planned service of a non-capital nature within one year: The Annexation Area will have full access to existing park facilities and will continue to be supported by the City.

Provision of planned service of a capital nature within three years: The capital services required for future growth in parks will be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

E. Clerk-Treasurer's Office

The Clerk-Treasurer of the City is responsible for the maintenance of all City records.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned service of a capital nature within three years: The capital services required for this department can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

F. Economic and Community Development Department

c. Planning and Zoning Services

The Economic and Community Development Department of the City is responsible for all of the planning and zoning support for the Westfield-Washington Township Advisory Plan Commission and the Westfield-Washington Township Board of Zoning Appeals. These responsibilities currently involve the entire Township; therefore, no service level increases are expected for this division with respect to the Annexation Area.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel who already serve the entire Township.

Provision of planned service of a capital nature within three years: The capital services required for this division can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

d. Economic Development Services

The Economic and Community Development Department of the City is responsible for all of the economic development functions within the corporate limits of the City. No service level increases are expected with respect to the Annexation Area.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned service of a capital nature within three years: The capital services required for this division can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

e. Building and Construction Services

The Economic and Community Development Department of the City currently processes building permits throughout the entire Township. It conducts inspections on new buildings and unsafe structures. Since this service is already being provided throughout the entire Township, no service level increases are expected with respect to the Annexation Area.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel, who already serve the entire Township.

Provision of planned service of a capital nature within three years: The capital services required for this division can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

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Financial Summary

The Annexation Area has been researched and analyzed in accordance with the terms of the Indiana Code, Title 36, Article 4, Chapter 3.

The primary source of revenue for the City is that which is received from property taxes and County Option Income Tax (COIT). The existing net assessed valuation of all real property and its improvements within the Annexation Area is \$250,600. Improvements in the Annexation Area that are projected to be completed during the five (5) year period following annexation include approximately sixty (60) single-family residential homes and thirty (30) acres to include open space and part of a golf course and related improvements.

As a result of additional population and road miles, the City also receives revenue from other sources that include Alcohol Gallonage Taxes, Cigarette Tax, Vehicle Excise Tax, MVH road miles tax, and LR& S road mile tax.

Assuming the annexation is effective prior to March 1, 2015; the property within the Annexation Area will then be entered into public record and assessed for taxation as an incorporated area. Revenue received by the City from property assessed on or before March 1, 2015, will not be realized until May and November of 2016. The delay in the collection of property taxes will cause the City to experience a cost of services from existing budgets due to the required provision of non-capital services in the first year following annexation. To the extent that real costs exceed revenue as a result of this annexation, the City is prepared to use funds from other budgeted line items in order to assure that services required by State Statute are provided to the Annexation Area.

Currently, the Annexation Area is undeveloped and the City will receive nominal property taxes from the existing assessed value within the Annexation Area. It should be understood, however, that the annexation of undeveloped land has a very minimal impact on municipal revenue streams and generally a minor impact on the provision of municipal services, if proper fiscal planning is performed.

When development occurs, the impact of that development on various revenue streams, as well as the impact of that development on the demand for municipal services, is to be examined by the City as a part of the development approval process. It is the City's stated goal that it seeks to establish fiscal policies which would result in no negative impact on property taxes for existing City residents as a result of growth. Therefore, the City will seek to assure that all proposed development offers a balance between the cost of services demanded and the revenues produced.

It is the intent of the City to pay for extension of all municipal services to the area from revenues generated as a result of the annexation, which will be derived from property taxes, along with other state distributions. The total property tax rate in Washington Township outside of the corporate limits for pay 2014 is \$2.64780. The tax rate for all taxpayers in the City/Washington Township, including all overlapping taxing units, is equal to \$3.09600, an increase of \$0.4482 or fifteen percent (15%). A summary of the estimated fiscal impact is set forth in **Exhibit 3**, Table 5.

Exhibit 1

Annexation Area: Graphic Depiction

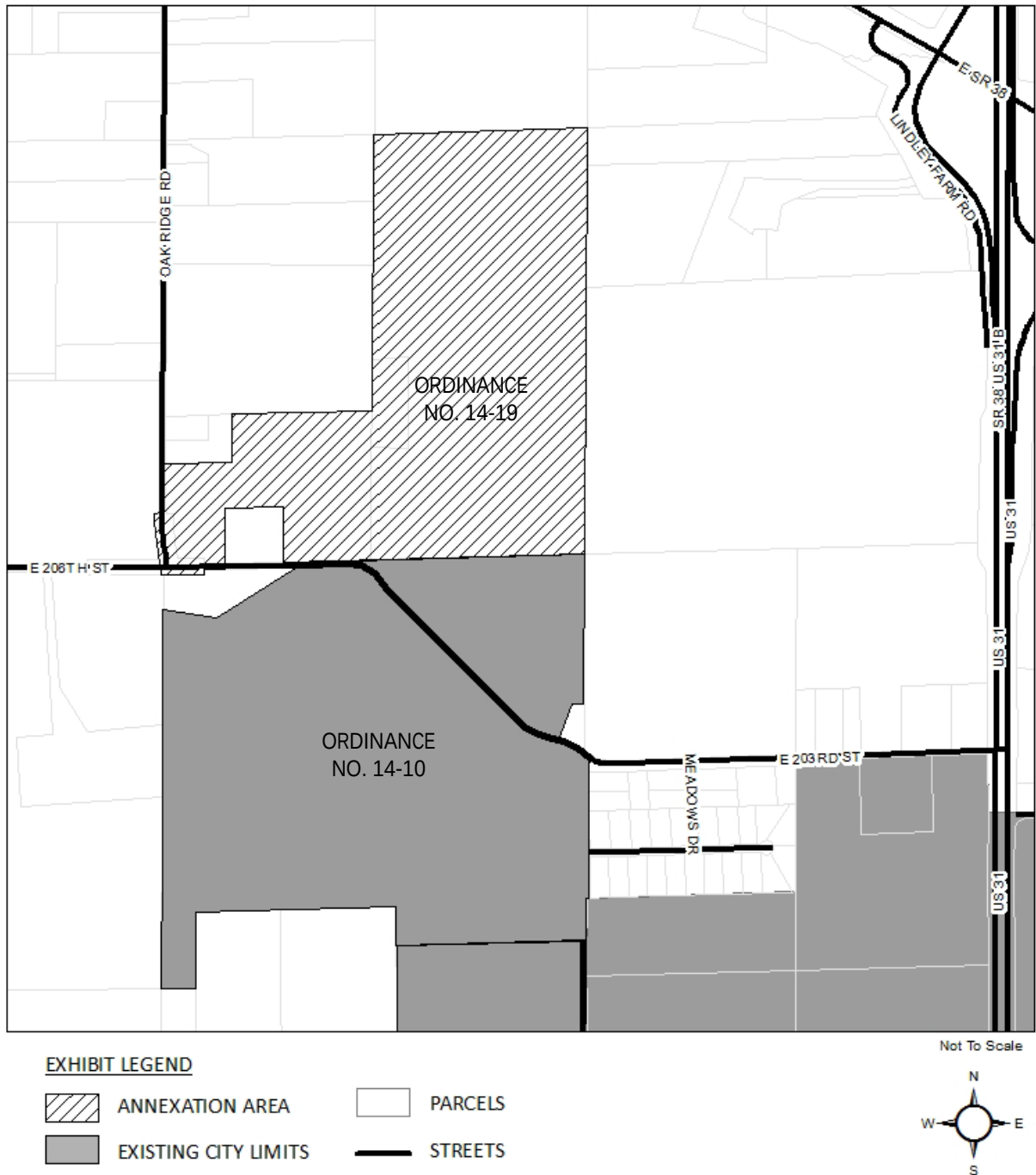


Exhibit 2

Annexation Area: Legal Description

This description includes three (3) parcels of land:

Parcel No. 08-05-13-00-00-027.000

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

Parcel No. 08-05-13-00-00-027.000

Part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 335.44 feet to the northwest corner of the 0.467-acre parcel described in Instrument Number 200100054117, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter 307.26 feet to a point that is 148.13 feet south of the southeast corner of the 1.0-acre parcel described as Parcel II in Instrument Number 9419576, on file in the Office of said Recorder, the following two (2) courses are parallel with the south and east lines of said Parcel II; 1)thence North 88 degrees 25 minutes 07 seconds East 438.53 feet; 2)thence North 00 degrees 11 minutes 12 seconds East 298.13 feet to a point on the north line of Parcel I as described in said Instrument Number 9419576, said point being 148.13 feet east of the northeast corner of said Parcel II, the following two (2) courses are along the north and east lines of said Parcel I; 1)thence North 88 degrees 25 minutes 07 seconds East 873.47 feet; 2)thence South 00 degrees 40 minutes 12 seconds West 930.75 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 545.43 feet to the east line of the 3.00-acre parcel described in Instrument Number 9563173, on file in the Office of said Recorder, the following three (3) courses are along the east, north and west lines thereof; 1)thence North 00 degrees 11 minutes 12 seconds East 344.80 feet; 2)thence South 89 degrees 06 minutes 56 seconds West 363.00 feet; 3)thence South 00 degrees 11 minutes 12 seconds West 352.10 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 141.52 feet to the west line of said 0.467-acre parcel, the following six (6) courses are along the west and north lines thereof; 1)thence North 00 degrees 10 minutes 28 seconds West 44.59 feet; 2)thence South 89 degrees 49 minutes 32 seconds West 165.62 feet; 3)thence North 09 degrees 13 minutes 08 seconds West 95.60 feet to the point of curve of a non tangent curve concave to the east, having a radius of 940.00 feet, the radius point of which bears North 80 degrees 46 minutes 53 seconds East; 4)thence northerly along said curve a distance of 154.30 feet to a point that bears North 89 degrees 48 minutes 49 seconds West from said radius point; 5)thence North 00 degrees 11 minutes 12 seconds East 34.10 feet; 6)thence North 89 degrees 48 minutes 48 seconds West 60.00 feet to the POINT OF BEGINNING. Containing 21.45 acres, more or less.

ALSO INCLUDING:

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

The East Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the SE corner of said Southwest Quarter, the following four (4) courses are along the south, west, north and east lines of said East Half; 1)thence South 87 degrees 57 minutes 50 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 1,322.01 feet; 2)thence North 00 degrees 16 minutes 25 seconds East 2,660.92 feet; 3)thence North 88 degrees 15 minutes 49 seconds East 1,325.81 feet; 4)thence South 00 degrees 21 minutes 41 seconds West 2,654.14 feet to the POINT OF BEGINNING. Containing 80.71 acres, more or less.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206th Street and Oak Ridge Road.

Exhibit 3

Fiscal Plan Tables

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TABLE 1

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 4"

Computation of Estimated Property Taxes

<u>Year</u>	<u>Estimated Assessed Value</u>	<u>Exemptions</u>	<u>Estimated Net Assessed Value</u>	<u>Tax Rate</u>	<u>Estimated Tax Revenue</u>
1st	\$ 250,600 (1)	\$ - (2)	\$ 250,600	\$ 0.8075 (3)	\$ 2,024
2nd	250,600	-	250,600	0.8075	2,024
3rd	13,067,233	4,824,000	8,243,233	0.8075	66,564
4th	25,067,233	9,648,000	15,419,233	0.8075	124,510
5th	37,067,233	14,472,000	22,595,233	0.8075	182,457

(1) Assumes 3 holes of a golf course similar to the Bridgewater Club in Westfield is completed by March 1, 2016. In addition, we have assumed that 20 homes are built in each of the 3rd, 4th and 5th years.

(2) Assumes homestead, supplemental homestead and mortgage deductions on all homes

(3) Assumes the final tax rate for 2014

TABLE 2

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 4"

Estimated Revenue Generated

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>
Net Assessed Value	\$ 250,600	\$ 250,600	\$ 8,243,233	\$ 15,419,233	\$ 22,595,233
Property Tax Revenue	2,024	2,024	66,564	124,510	182,457
Circuit Breaker Reduction (1)	(824)	(824)	(27,110)	(50,710)	(74,310)
Motor Vehicle Highway	-	-	-	-	-
Local Roads & Street	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	<u>\$ 1,200</u>	<u>\$ 1,200</u>	<u>\$ 39,454</u>	<u>\$ 73,800</u>	<u>\$ 108,147</u>

(1) Estimated Circuit Breaker Reduction based upon Pay 2014 tax rate and estimated build out

General Notes

- Five years is considered a standard planning period for annexation analysis.
- Population based revenue will not go up unless a Census occurs or a Special Census is prepared.

TABLE 3

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 4"

Estimated Non-Capital Costs

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>
Police (1)	\$ 1,613	\$ 3,226	\$ 9,678	\$ 19,357	\$ 27,099
Fire (1)	2,904	4,357	23,339	35,008	49,012
Lighting (2)	-	-	-	-	-
Fire Hydrants (2)	-	-	-	-	-
Streets & Road Maint. (1)	1,250	2,870	3,700	4,650	6,510
Park (2)	-	-	-	-	-
<u>Admin. & General Dpts. (1)</u>					
Administrative	125	188	1,694	3,388	6,775
Community Dev. Planning	26	38	346	691	1,382
Building Dept.	7	11	97	194	389
Information Tech.	46	70	626	1,253	2,506
Clerk	18	27	247	493	986
Mayor	5	7	63	126	252
City Council	5	8	68	137	274
Street Dept	64	95	859	1,717	3,434
Total Non-Capital Costs	<u>\$ 6,063</u>	<u>\$ 10,897</u>	<u>\$ 40,717</u>	<u>\$ 67,014</u>	<u>\$ 98,619</u>

(1) Assumes allocation of the specific budget; in the event you need further information, please contact the City. The increase in Street cost is due to the increase in homes.

(2) No additional cost is estimated to be incurred.

General Note

- Five years is considered a standard planning period for annexation analysis.

TABLE 4

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 4"

Estimated Capital Costs

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>
Street Department (1)	\$ -	\$ -	\$ -	\$ -	\$ -
Street Lighting (1)	-	-	-	-	-
Wastewater (1)	-	-	-	-	-
Water (1)	-	-	-	-	-
Electric (1)	-	-	-	-	-
Cumulative Capital (1)	-	-	-	-	-
Cumulative Fire (1)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Capital Costs	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

(1) No capital costs are expected to occur, in this time period, in the Area.

General Note

- Five years is considered a standard planning period for annexation analysis.

TABLE 5

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 4"

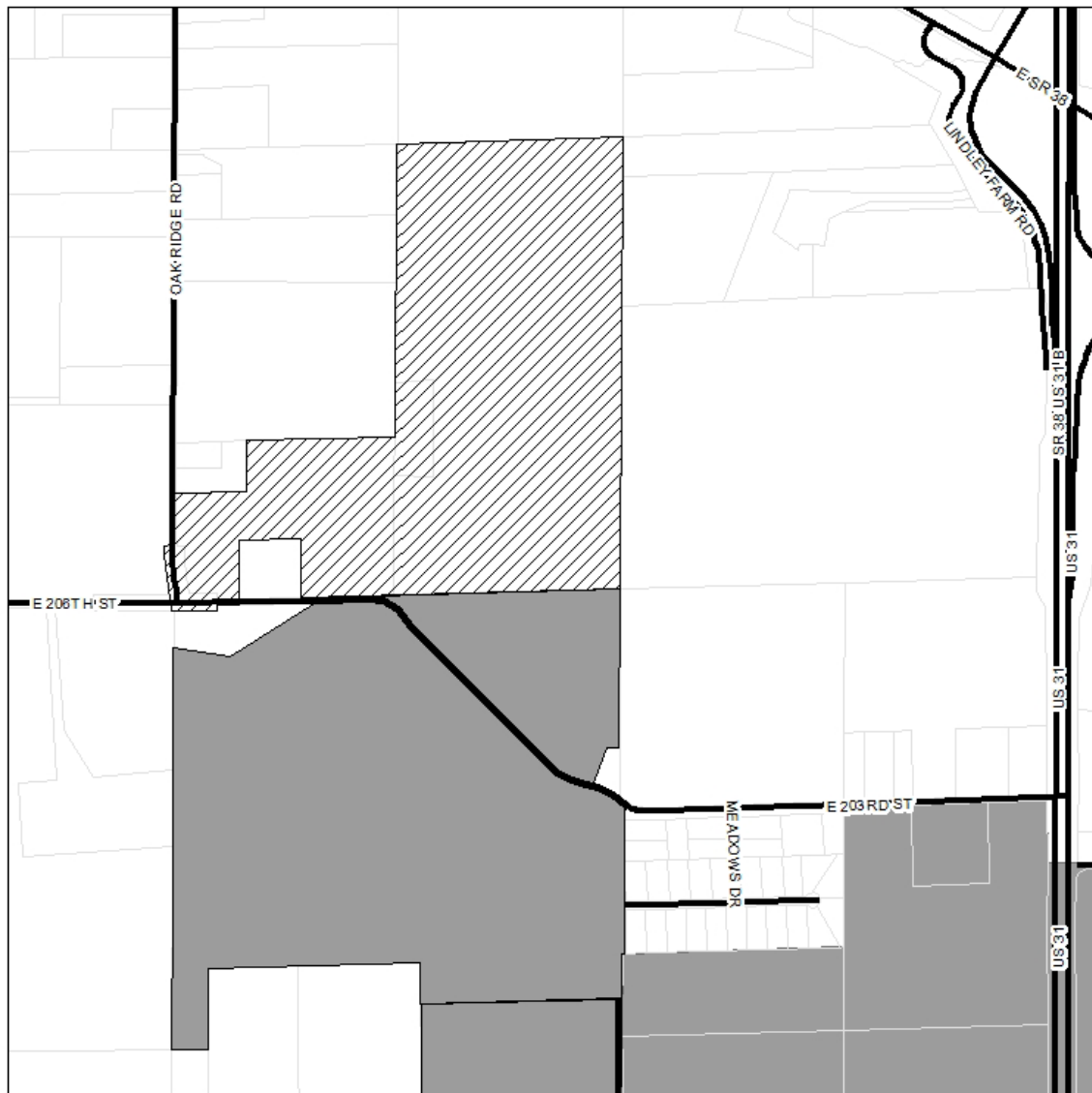
Fiscal Plan Summary

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>	<u>Total</u>
Revenue	\$ 1,200	\$ 1,200	\$ 39,454	\$ 73,800	\$ 108,147	\$ 223,801
Non-Capital Costs	6,063	10,897	40,717	67,014	98,619	223,310
Capital Costs	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net	<u>\$ (4,863)</u>	<u>\$ (9,697)</u>	<u>\$ (1,263)</u>	<u>\$ 6,786</u>	<u>\$ 9,528</u>	<u>\$ 491</u>
Percentage	<u>-405.3%</u>	<u>-808.1%</u>	<u>-3.2%</u>	<u>9.2%</u>	<u>8.8%</u>	<u>0.2%</u>

General Notes

- Five years is considered a standard planning period for annexation analysis.
- To be funded by the General Fund balance

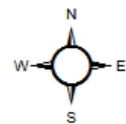
EXHIBIT A ANNEXATION AREA



Not To Scale

EXHIBIT LEGEND

- | | | | |
|---|----------------------|---|---------|
|  | ANNEXATION AREA |  | PARCELS |
|  | EXISTING CITY LIMITS |  | STREETS |



ORDINANCE 14-23

AN ORDINANCE AMENDING PARKS SPECIAL EVENT POLICIES, FORMS, PROCEDURES AND FEES NECESSARY FOR THE WESTFIELD PARKS DEPARTMENT

WHEREAS, The City of Westfield, (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”); and,

WHEREAS, The City has the duty and responsibility to maintain and operate the Westfield Parks Department for the benefit of the public; and,

WHEREAS, it is the duty and the responsibility of the Council to consider and adopt amend the policies, procedures and fees necessary for the fiscally responsible, orderly and efficient operation of the facilities and functions under the direction of the Westfield Parks Department; and,

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Council meeting in session as follows:

- Section 1.** That upon review of the amended Special Events schedule of policies, forms and fees, attached hereto as Exhibit “A” and incorporated herein, the Council finds that the same are justified, reasonable and necessary for the responsible operation of the Westfield Parks Department and facilities and functions.
- Section 2.** That the Westfield Parks Director is hereby authorized to implement the attached policies, forms, procedures and to charge and collect the fees as adopted herein. Ordinance 12-38 is hereby amended and
- Section 3.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. All acts undertaken to develop this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED THIS ____DAY OF _____2014.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 14-23 was delivered to the Mayor of Westfield
on the _____ day of _____, 2014, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-23 I hereby VETO ORDINANCE 14-23
this _____ day of _____, 2014. this _____ day of _____, 2014.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

ORDINANCE 14-24

ORDINANCE FOR ADDITIONAL APPROPRIATION

WHEREAS, The City of Westfield, (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”); and,

WHEREAS, it is the duty and the responsibility of the Council to maintain the fiscal integrity of the finances of the City and to use those finances to further that fiscal integrity of the City, and

WHEREAS, sometimes becomes necessary to appropriate additional funds within the approved budget as contemplated and authorized under I.C. 36-4-7-8 to maintain that fiscal integrity and foster economic growth for the City.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

- Section 1.** That the Council finds that the funds are to be utilized pursuant to the goals stated in resolution 14-112.
- Section 1.** That the additional appropriation of \$2,500,000.00 non-tax derived dollars is hereby authorized to be transferred and appropriated as indicated below .
- Section 2.** That said amounts shall be distributed as follows:
- From: Fund 101660 [Utility Proceeds]
To: Fund 101 [General Fund]
- Section 3.** Upon transfer to the General Fund, the Council further authorizes those funds transferred to the Westfield-Washington School Corporation pursuant to Resolution 14-112 to facilitate the sale of School property and relocation and improvement of athletic fields.
- Section 4.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. All acts undertaken to create this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____ 2014.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Charles Lehman	_____ Charles Lehman	_____ Charles Lehman
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that ORDINANCE/RESOLUTION 14-24 was delivered to the Mayor of Westfield

on the _____ day of _____, 2014, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-24 I hereby VETO ORDINANCE 14-24

this _____ day of _____, 2014. this _____ day of _____, 2014.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

Westfield City Council May 12, 2014

The Westfield City Council met Monday May 12, 2014 at the Westfield City Hall. Members present were Jim Ake, Chuck Lehman, Steve Hoover, Cindy Spoljaric, Bob Smith, Bob Horkay and Rob Stokes. Also present were Clerk-Treasurer Cindy Gossard, Mayor Andy Cook and representing Legal Counsel Brian Zaiger.

Mayor Cook called the meeting to order at 7:00 p.m.

Approval of Minutes:

Bob Horkay made a motion to approve April 28, 2014 special meeting minutes. Steve Hoover seconded. Vote: Yes-7; No-0. Motion carries.

Guest:

Sharon Williams spoke asking for the amount it has cost the Government to destroy Westfield.

Claims:

Rob Stokes made a motion to approve the claims as presented. Bob Horkay seconded. Vote: Yes-7; No-0. Motion carries.

Miscellaneous Business/Special Presentations

Special Presentation: Proclamation-Honoring Tim Krupski

Mayor Cook presented Tim Krupski with a Proclamation declaring May 7, 2014 Tim Krupski Day for his service with our Westfield Youth Assistance Program.

Special Presentation: Proclamation-Apraxia Awareness Day

Mayor Cook proclaimed May 14, 2014 as Apraxia Awareness Day.

Special Proclamation: Certificate of Appreciation-Girl Scouts

Mayor Cook presented Girl Scout Troop 1019 a Certificate of Appreciation for organizing a successful Bark Park Walk-a-Thon Fundraiser.

Miscellaneous Business: Semi Annual Update from Westfield Economic & Community Development Department

Matt Skelton presented this item giving a statistical update.

Old Business:

Resolution 14-112: Economic Development Partnership

Introduction – April 28, 2014

Public Hearing – May 12, 2014

Adoption Consideration – May 12, 2014

Jim Ake presented this item stating that this is a win-win situation for both the City and the Schools with no tax money being spent. The City will see a significant return on the investment and it with lower future tax rates and diversify the City's economy.

Steve Hoover thanked the citizens for the emails and not only showing their support but stating the reasons as to why they were in favor of this.

Cindy Spoljaric stated this area will be a Gateway to Grand Junction and an asset to the City.

Rob Stokes mentioned the fact that certain conditions would be placed on potential tenants of the development area. (no fee waivers, no abatements). There will be no non for profit entities. These stipulations will be finalized in future development agreements.

Chuck Lehman stated that this is a unique opportunity for the City.

Public Hearing open: 7:25 pm

Judy Shuck, Stacy McGuire, Bill Davis, Josh Miracle, Sharon Williams, Jake Gilbert, and Eric Lohe all spoke in favor of the stadium.

Public Hearing closed: 7:53

Bob Smith made a motion to approve Resolution 14-112 as presented. Bob Horkay seconded. Vote: Yes-7; No-0. Motion carries.

Ordinance 14-16: Bridgewater PUD Text Amendment

Council Introduction: April 14, 2014

APC Public Hearing – May 5, 2014

APC Recommendation – May 5, 2014

Adoption Consideration – May 12, 2014

Matt Skelton presented this item stating it involves the signage (letter height) for the 21st Amendment being built. This Ordinance would amend the current Bridgewater PUD, allowing letter height to be increased from 16" to 24".

Bob Horkay made a motion to approve Ordinance 14-16 as presented. Cindy Spoljaric seconded. Vote: Yes-7; No-0. Motion carries.

New Business:

Ordinance 14-18: 100% Voluntary Annexation of approximately 163 acres located between 199th Street and 206th Street, east of Horton Road (Chatham Hills- Phase Three)

Introduction – May 12, 2014

Public Hearing – May 12, 2014

Adoption Consideration – June 9, 2014

Jesse Pohlman presented and asked if there were any questions from the Council. After tonight's Public Hearing, the plan is to have the Ordinance and Fiscal Plan back for Council approval at the June 9th meeting.

Public Hearing opened: 8:02

None

Public Hearing closed: 8:03

Ordinance 14-19: 100% Voluntary Annexation of approximately 103 acres located north of 206th Street and east of Oak Ridge Road (Chatham Hills-Phase Four)

Introduction – May 12, 2014

Public Hearing – May 12, 2014

Adoption Consideration – June 9, 2014

Jesse Pohlman presented this item and as with above Ordinance, it requires a Public Hearing, which has been advertised.

Public Hearing opened: 8:04

None

Public Hearing closed: 8:05

Ordinance 14-21: Spring Mill Road & 186th Street PUD

Introduction – May 12, 2014

APC Public Hearing - June 2, 2014

APC Recommendation – June 16, 2014
Adoption Consideration – July 14, 2014

Jesse Pohlman presented this item asking for a zoning change in approximately 16 acres just outside of the GP Economic Development area.

Dave Coots Attorney for Sundown Gardens spoke regarding those changes.

Ordinance 14-22: The Junction PUD

Introduction – May 12, 2014
APC Public Hearing – June 2, 2014
APC Recommendation – June 16, 2014
Adoption Consideration – July 14, 2014

Kevin Todd presented this item stating it is a request for zoning changes in an area of approximately 14 acres on the NE corner of 31 & 32. The request would entail a change in zoning and create a PUD to change the property to a mixed-use commercial development. The area (The Junction) will be a development that is zoned General Business and will contain medical, office, fitness, lodging, senior residential, restaurants, and entertainment.

Randy Zentz, representing the petitioner stated The Junction will be a development that is consistent with the City of Westfield's Grand Junction Comprehensive Plan. Randy answered any questions from Council.

Resolution 14-111: State Road 32 Access

Adoption Consideration – May 12, 2014

Kevin Todd presented this item explaining that it is a request for a right-in/right-out road cut. INDOT has reviewed and approved location of the road cut. This requires Council approval to move forward.

Eric Carter with Weihe Engineers spoke answering questions from Council.

Steve Hoover made a motion to approve Resolution 14-111 as presented. Bob Horkay seconded.
Vote: Yes-7; No-0. Motion carries.

Ordinance 14-23: Amendment to Parks & Recreation Special Event Policy

Introduction – May 12, 2014
Adoption Consideration – June 9, 2014

Brian Zaiger presented this item stating this is amending the policies, procedures, and fees associated with the operation of the facilities and functions of the Westfield Parks Department.

ORDINANCE 14-24: Additional Appropriation Fund Transfer

Introduction – May 12, 2014

Public Hearing – June 9, 2014

Adoption Consideration – June 9, 2014

Brian Zaiger presented this item stating it allows for the transfer of funds and appropriation of such pursuant to Resolution 14-112.

CITY COUNCIL COMMENTS:

Steve Hoover gave a brief APC update

MAYOR COMMENTS

The City now has a new app

Couple weeks we will have a new Grand Park app

Received letter from Franklin Webb thanking the City for allowing him to be a page

Grand Park busy next week with both baseball and soccer

Steve Hoover made a motion to adjourn. Bob Horkay seconded. Vote: Yes-7; No-0.
With no further business the meeting was adjourned at 8:50 p.m.

Clerk-Treasurer

President

I hereby certify that each of the above listed vouchers and invoices, or bills attached there to, are true and correct and I have audited same in accordance with IC5-11-10-1.6.

June 09, 2014

Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

CITY OF WESTFIELD

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 44 pages and except for accounts payables not allowed as shown on the Register such account payables are hereby allowed in the total amount of \$0 and pending director approval such accounts payables are hereby allowed in the total amount of \$0.

Dated this 9 day of June, 2014

Signatures of Governing Board

Approved by State Board of Accounts for the City of Westfield, 2013

Purchase Invoice Register

City of Westfield

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Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
101 General									
Administration									
VEN002361	Donald B Ackerson	APP018047	5/13/2014	101001990	ADM-CIRCUIT BREAKER	156th Street Parcel 3	33,700.00		
VEN002361	Donald B Ackerson	APP018047	5/13/2014	101001990	ADM-CIRCUIT BREAKER	156th Street Parcel 3	200.00		
VEN002360	New Joy Lutheran Church Inc	APP018048	5/13/2014	101001990	ADM-CIRCUIT BREAKER	156th St Parcel 4	36,800.00		
VEN002360	New Joy Lutheran Church Inc	APP018048	5/13/2014	101001990	ADM-CIRCUIT BREAKER	156th St Parcel 4	18,900.00		
VEN000312	Busy Bee Cleaning Service	APP018064	5/13/2014	101001343	ADM-BUILDING	Cleaning at City Services	2,560.25		
VEN000942	Imagery LLC	APP018065	5/13/2014	101001347	ADM-PROMOTIONS	Polo shirt	74.21		
VEN000589	Duke Energy	APP018074	5/14/2014	101001341	ADM-ELECTRICITY	Duke bill	644.44	54131	5/14/2014
VEN000405	Citizens Energy Group	APP018076	5/14/2014	101001328	ADM-HEAT/GAS	141 S Union/Women's Ministr	92.37	54128	5/14/2014
VEN000405	Citizens Energy Group	APP018076	5/14/2014	101001328	ADM-HEAT/GAS	211 S Union/DWNA	65.22	54128	5/14/2014
VEN000405	Citizens Energy Group	APP018076	5/14/2014	101001328	ADM-HEAT/GAS	202 Penn/Clinic House	58.14	54128	5/14/2014
VEN002019	United Consulting Engineers	APP018092	5/15/2014	101001990	ADM-CIRCUIT BREAKER	Anna Kendall Monon Bridge	10,875.00		
VEN002038	USI Consultants, Inc	APP018093	5/15/2014	101001990	ADM-CIRCUIT BREAKER	191st Street Reconstruct (To	3,220.00		
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101001119	ADM-HEALTH AND DENTAL	ins	37.56	54133	5/19/2014
VEN001521	Parsons Brinckerhoff Inc	APP018123	5/19/2014	101001990	ADM-CIRCUIT BREAKER	ROW acquisitions for 4 parcel	7,480.00		
VEN001521	Parsons Brinckerhoff Inc	APP018124	5/19/2014	101001990	ADM-CIRCUIT BREAKER	ROW Management Services	3,642.54		
VEN000562	DLZ	APP018130	5/19/2014	101001990	ADM-CIRCUIT BREAKER	Wheeler Rd (SR32 to 181st S	24,905.00		
VEN002038	USI Consultants, Inc	APP018131	5/19/2014	101001990	ADM-CIRCUIT BREAKER	191st Street Reconstruct (To	14,025.00		
VEN001537	Payroll	APP018170	5/20/2014	101001111	ADM-SALARY	SAL	61,145.42	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101001120	ADM-FICA AND MEDICARE	FICA	3,635.37	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101001120	ADM-FICA AND MEDICARE	MED	850.20	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101001121	ADM-PERF	PERF	4,787.83	100050814	5/21/2014
VEN000218	Bernardin Lochmueller and Assoc.	APP018203	5/23/2014	101001990	ADM-CIRCUIT BREAKER	Amendment 1	800.00		
VEN000103	American Structurepoint Inc	APP018212	5/23/2014	101001990	ADM-CIRCUIT BREAKER	186th Street Roundabout/cont	11,175.00		
VEN000513	DavisVision	APP018281	5/28/2014	101001119	ADM-HEALTH AND DENTAL	ins	149.38		
VEN002178	Capital One Public Funding	APP018284	5/28/2014	101001476	ADM-EQUIP LEASE	Artificial turf lease agreement	422,212.51		
VEN002067	VS Engineering	APP018296	5/29/2014	101001990	ADM-CIRCUIT BREAKER	191st Street Reconst (Horton	9,170.00		
VEN002123	Westfield-Washington Schools	APP018297	5/29/2014	101001223	ADM-OFFICE SUPPLIES	Paper	49.98		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101001119	ADM-HEALTH AND DENTAL	INS	8,797.31		
VEN000562	DLZ	APP018369	6/2/2014	101001990	ADM-CIRCUIT BREAKER	Monon Trail Phase VI	6,260.00		
VEN000562	DLZ	APP018370	6/2/2014	101001990	ADM-CIRCUIT BREAKER	Wheeler Rd (SR32 to 181st S	34,942.41		
VEN002038	USI Consultants, Inc	APP018380	6/2/2014	101001990	ADM-CIRCUIT BREAKER	Multi-use path construction-co	11,300.00		
VEN002038	USI Consultants, Inc	APP018381	6/2/2014	101001990	ADM-CIRCUIT BREAKER	191st Street Reconstruct (To	18,075.00		

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Fund No. Fund Name									
101 General									
Administration									
VEN000931	Ice Miller LLP	APP018382	6/2/2014	101001331	ADM-CONSULTING	Monthly retainers	5,000.00		
VEN000931	Ice Miller LLP	APP018382	6/2/2014	101001331	ADM-CONSULTING	Ancillary services/long dist, ph	3.11		
VEN000359	CHA Consulting Inc	APP018385	6/2/2014	101001990	ADM-CIRCUIT BREAKER	Union Street Extension replac	20,486.50		
VEN000562	DLZ	APP018386	6/2/2014	101001990	ADM-CIRCUIT BREAKER	161st St and Carey Road Rou	6,328.80		
VEN000942	Imagery LLC	APP018395	6/2/2014	101001347	ADM-PROMOTIONS	Westfield logo fleece for Rho	96.41		
VEN000345	Cave and Company Printing	APP018409	6/2/2014	101001337	ADM-PRINTING	Connect with BC	40.78		
VEN001537	Payroll	APP018415	6/2/2014	101001111	ADM-SALARY	sal	60,147.44		
VEN001537	Payroll	APP018415	6/2/2014	101001120	ADM-FICA AND MEDICARE	fica	3,573.81		
VEN001537	Payroll	APP018415	6/2/2014	101001120	ADM-FICA AND MEDICARE	med	835.86		
VEN001537	Payroll	APP018415	6/2/2014	101001121	ADM-PERF	perf	7,353.08		
VEN001826	Staples	APP018422	6/3/2014	101001223	ADM-OFFICE SUPPLIES	Office supplies	46.73		
VEN000763	General Alarm Inc	APP018423	6/3/2014	101001343	ADM-BUILDING	Quart monitoring service at Ci	89.85		
VEN000345	Cave and Company Printing	APP018424	6/3/2014	101001337	ADM-PRINTING	Connect with BC's	30.89		
VEN000263	Bose Public Affairs Group LLC	APP018426	6/3/2014	101001349	ADM-SERVICES	April services	3,500.00		
VEN001940	The Times	APP018427	6/3/2014	101001338	ADM-LEGAL	Add'l Appropriation	9.66		
VEN001478	Office Team	APP018428	6/3/2014	101001349	ADM-SERVICES	Temp employee for wk ending	145.18		
VEN001478	Office Team	APP018428	6/3/2014	101001349	ADM-SERVICES	Temp employee for wk ending	146.98		
VEN001704	Roto-Rooter	APP018429	6/3/2014	101001343	ADM-BUILDING	Toilet repair at City Hall	69.00		
VEN001953	Thomson West	APP018430	6/3/2014	101001330	ADM-ATTORNEY/CONSULT	West Information charges	173.79		
VEN001478	Office Team	APP018431	6/3/2014	101001349	ADM-SERVICES	Temp employee for Cust Serv	592.41		
VEN002017	Unifirst Corporation	APP018432	6/3/2014	101001349	ADM-SERVICES	Mats	139.15		
VEN002017	Unifirst Corporation	APP018433	6/3/2014	101001343	ADM-BUILDING	Mats	133.65		
VEN000974	Indiana Newspapers	APP018435	6/3/2014	101001350	ADM-SUBSCRIPTIONS/DUE	Year subscription for Indy Star	304.53		
VEN002036	USAutomatic Fire and Security	APP018437	6/3/2014	101001343	ADM-BUILDING	City Services basement servic	548.50		
VEN001062	Jack Laurie Floors LLC	APP018447	6/2/2014	101001343	ADM-BUILDING	Carpet cleaning at City Hall	695.00		
VEN000552	Diana Peyton	APP018453	6/3/2014	101001334	ADM-TRAVEL/TRAINING/SE	Parking while attending IMPA	28.00		
VEN000312	Busy Bee Cleaning Service	APP018456	6/2/2014	101001343	ADM-BUILDING	Office Cleaning at City Hall	425.00		
VEN000312	Busy Bee Cleaning Service	APP018456	6/2/2014	101001343	ADM-BUILDING	Office Cleaning at City Servic	2,585.65		
VEN000739	Frontier	APP018460	6/2/2014	101001343	ADM-BUILDING	Alarm at City Hall	47.41		
VEN000739	Frontier	APP018460	6/2/2014	101001343	ADM-BUILDING	City Services	302.93		
VEN001264	Love At First Sight	APP018470	6/3/2014	101001347	ADM-PROMOTIONS	Arrangement for Bradley Shad	103.00		
VEN001264	Love At First Sight	APP018470	6/3/2014	101001347	ADM-PROMOTIONS	Arrangements for Professiona	168.00		

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Fund No. Fund Name									
101 General									
Administration									
VEN002273	Commercial Artisan	APP018473	6/3/2014	101001331	ADM-CONSULTING	Ham Cty Vistors guide ad layo	300.00		
VEN002273	Commercial Artisan	APP018474	6/3/2014	101001331	ADM-CONSULTING	City of Westfield Indpls Month	500.00		
VEN000838	Hamilton County Business Magazine	APP018475	6/3/2014	101001331	ADM-CONSULTING	2014 Welcome to Ham Cty in	3,000.00		
VEN000345	Cave and Company Printing	APP018476	6/3/2014	101001347	ADM-PROMOTIONS	Grand Park Invites	79.47		
VEN000157	AT and T	APP018484	6/3/2014	101001349	ADM-SERVICES	Monon Trail between 151st an	84,328.04		
VEN000589	Duke Energy	APP018490	6/3/2014	101001341	ADM-ELECTRICITY	DWNA	40.56		
VEN000589	Duke Energy	APP018490	6/3/2014	101001341	ADM-ELECTRICITY	Clinic House	120.38		
VEN000348	CDW Government Inc	APP018568	6/2/2014	101001224	ADM-OPERATING SUPPLIES	Re-entered due to ck was rec	884.00		
Subtotal for Administration							954,033.69		
Police									
VEN001375	Mike Seagrave	APP018052	5/13/2014	101002334	POLICE-TRAVEL/TRAINING/		140.50	54124	5/13/2014
VEN001181	Kim's Alterations	APP018053	5/13/2014	101002229	POLICE-UNIFORMS		44.00		
VEN001856	Sun Badge Co.	APP018054	5/13/2014	101002229	POLICE-UNIFORMS		443.50		
VEN002035	US Uniform and Supply	APP018055	5/13/2014	101002229	POLICE-UNIFORMS		164.95		
VEN002035	US Uniform and Supply	APP018056	5/13/2014	101002229	POLICE-UNIFORMS		107.90		
VEN000976	Indiana Paging Network	APP018057	5/13/2014	101002332	POLICE-CELL/PAGERS/MOBI		79.73		
VEN000312	Busy Bee Cleaning Service	APP018058	5/13/2014	101002349	POLICE-SERVICES		768.00		
VEN001245	Lexisnexis	APP018059	5/13/2014	101002350	POLICE-SUBSCRIPTIONS/D		82.50		
VEN001555	Pet Supplies Plus	APP018060	5/13/2014	101002355	POLICE-K-9 MAINT		129.92		
VEN000379	Chemsearch	APP018061	5/13/2014	101002472	POLICE-EQUIP		56.29		
VEN001052	IUPUI Lockbox	APP018062	5/13/2014	101002334	POLICE-TRAVEL/TRAINING/		1,325.63		
VEN002353	Boldens Cleaners	APP018063	5/13/2014	101002229	POLICE-UNIFORMS		458.77		
VEN000589	Duke Energy	APP018074	5/14/2014	101002341	POLICE-ELECTRICITY	Duke bill	2,386.32	54131	5/14/2014
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101002119	POLICE-HEALTH AND DENT	ins	146.02	54133	5/19/2014
VEN001942	The Uniform House, Inc	APP018111	5/19/2014	101002229	POLICE-UNIFORMS		574.25		
VEN002035	US Uniform and Supply	APP018112	5/19/2014	101002229	POLICE-UNIFORMS		40.00		
VEN001419	National Assoc Of School Resource Offi	APP018113	5/19/2014	101002350	POLICE-SUBSCRIPTIONS/D		40.00		
VEN001635	Ray O'herron Co. Inc.	APP018114	5/19/2014	101002334	POLICE-TRAVEL/TRAINING/		1,066.44		
VEN002017	Unifirst Corporation	APP018115	5/19/2014	101002343	POLICE-BUILDING MAINTEN		65.92		
VEN001537	Payroll	APP018170	5/20/2014	101002111	POLICE-SALARY	SAL	122,611.49	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101002120	POLICE-FICA AND MEDICAR	FICA	7,367.24	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101002120	POLICE-FICA AND MEDICAR	MED	1,722.99	100050814	5/21/2014

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Buy-From Vendor No.	Buy-From Vendor Name	Invoice No.	Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
101	General								
	Police								
VEN001537	Payroll	APP018170	5/20/2014	101002121	POLICE-PERF	PERF	18,608.26	100050814	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101002111	POLICE-SALARY	SAL	122,364.51	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101002120	POLICE-FICA AND MEDICAR	FICA	7,351.92	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101002120	POLICE-FICA AND MEDICAR	MED	1,719.41	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101002121	POLICE-PERF	PERF	18,553.34	101052114	5/21/2014
VEN000636	EMP Technical Group	APP018191	5/23/2014	101002337	POLICE-PRINTING		547.50		
VEN000348	CDW Government Inc	APP018194	5/16/2014	101002332	POLICE-CELL/PAGERS/MOBI		1,642.75		
VEN001181	Kim's Alterations	APP018195	5/19/2014	101002229	POLICE-UNIFORMS		25.00		
VEN000480	CSI Signs	APP018196	5/20/2014	101002337	POLICE-PRINTING		129.48		
VEN000849	Hamilton County Treasurer	APP018205	5/19/2014	101002336	POLICE-DISPATCH SERVICE	E911 dispatch services	90,548.25		
VEN002336	Citizens Westfield	APP018210	5/14/2014	101002342	POLICE-WATER/SEWER		82.18	54126	5/23/2014
VEN000513	DavisVision	APP018281	5/28/2014	101002119	POLICE-HEALTH AND DENT	ins	441.82		
VEN001459	North Central LP	APP018300	5/12/2014	101002226	POLICE-VEHICLE GAS/SUPP	Unleaded fuel for March	12,722.39		
VEN000747	Galls	APP018301	5/29/2014	101002229	POLICE-UNIFORMS		336.25		
VEN001843	Steven R Jenkins	APP018302	5/29/2014	101002229	POLICE-UNIFORMS		308.20		
VEN000478	Crown Trophy	APP018303	5/29/2014	101002347	POLICE-PROMOTIONS		325.40		
VEN001286	Maglocien	APP018304	5/29/2014	101002350	POLICE-SUBSCRIPTIONS/D		400.00		
VEN001856	Sun Badge Co.	APP018305	5/29/2014	101002229	POLICE-UNIFORMS		93.00		
VEN001826	Staples	APP018306	5/29/2014	101002223	POLICE-OFFICE SUPPLIES		1,237.21		
VEN000747	Galls	APP018307	5/29/2014	101002229	POLICE-UNIFORMS		205.50		
VEN000345	Cave and Company Printing	APP018308	5/29/2014	101002337	POLICE-PRINTING		385.00		
VEN000314	C.A.R. Clinic	APP018309	5/29/2014	101002360	POLICE-VEHICLE REPAIR		863.27		
VEN001877	T and T Sales promotions	APP018310	5/29/2014	101002229	POLICE-UNIFORMS		30.00		
VEN001138	Josh Harrell	APP018311	5/29/2014	101002229	POLICE-UNIFORMS		125.87		
VEN000227	Best Western Circus City Inn	APP018312	5/29/2014	101002334	POLICE-TRAVEL/TRAINING/		929.60		
VEN000235	BGI FITNESS	APP018313	5/29/2014	101002472	POLICE-EQUIP		824.48		
VEN002028	UPS	APP018314	5/29/2014	101002333	POLICE-POSTAGE		24.10		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101002119	POLICE-HEALTH AND DENT	INS	26,310.91		
VEN001877	T and T Sales promotions	APP018379	6/2/2014	101002229	POLICE-UNIFORMS		30.00		
VEN001367	Midwest Toxicology Servic	APP018394	6/2/2014	101002349	POLICE-SERVICES	Drug and Alcohol testing	84.00		
VEN001537	Payroll	APP018415	6/2/2014	101002111	POLICE-SALARY	sal	124,462.00		
VEN001537	Payroll	APP018415	6/2/2014	101002120	POLICE-FICA AND MEDICAR	fica	7,481.97		

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Fund No. Fund Name									
101	General								
	Police								
VEN001537	Payroll	APP018415	6/2/2014	101002120	POLICE-FICA AND MEDICAR	med	1,749.85		
VEN001537	Payroll	APP018415	6/2/2014	101002121	POLICE-PERF	perf	18,707.11		
VEN000739	Frontier	APP018460	6/2/2014	101002335	POLICE-TELEPHONE	Postage, Elevator, Backup an	64.61		
VEN002028	UPS	APP018462	6/2/2014	101002333	POLICE-POSTAGE		46.51		
VEN000644	Enviro-max Inc	APP018463	6/2/2014	101002343	POLICE-BUILDING MAINTEN		1,631.04		
VEN001455	Noblesville Police Dept.	APP018464	6/2/2014	101002355	POLICE-K-9 MAINT		190.90		
VEN002500	Bloomington Police Dept	APP018465	6/2/2014	101002334	POLICE-TRAVEL/TRAINING/		400.00		
VEN000480	CSI Signs	APP018467	6/2/2014	101002337	POLICE-PRINTING		223.20		
VEN001635	Ray O'herron Co. Inc.	APP018468	6/2/2014	101002229	POLICE-UNIFORMS		1,110.95		
VEN002035	US Uniform and Supply	APP018469	6/2/2014	101002229	POLICE-UNIFORMS		359.89		
VEN000314	C.A.R. Clinic	APP018558	6/2/2014	101002360	POLICE-VEHICLE REPAIR		221.00		
VEN000406	Citizens Water	APP018566	6/3/2014	101002342	POLICE-WATER/SEWER		79.61		
	Subtotal for Police						603,800.60		

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Fund No. Fund Name									
101 General									
Economic and Community Development									
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101003119	ECD-HEALTH AND DENTAL	ins	25.04	54133	5/19/2014
VEN001537	Payroll	APP018170	5/20/2014	101003111	ECD-SALARY	SAL	24,886.24	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101003120	ECD-FICA AND MEDICARE	FICA	1,498.06	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101003120	ECD-FICA AND MEDICARE	MED	350.35	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101003121	ECD-PERF	PERF	3,359.64	100050814	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101003111	ECD-SALARY	SAL	29,458.96	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101003120	ECD-FICA AND MEDICARE	FICA	1,781.57	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101003120	ECD-FICA AND MEDICARE	MED	416.65	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101003121	ECD-PERF	PERF	3,976.96	101052114	5/21/2014
VEN001940	The Times	APP018207	5/20/2014	101003338	ECD-LEGAL	Chatham Hills 163 Acres Ann	26.57		
VEN001940	The Times	APP018207	5/20/2014	101003338	ECD-LEGAL	Chatham Hills 103 Acres Ann	24.15		
VEN001826	Staples	APP018260	5/28/2014	101003223	ECD-OFFICE SUPPLIES	Office Supplies	9.84		
VEN000513	DavisVision	APP018281	5/28/2014	101003119	ECD-HEALTH AND DENTAL	ins	57.54		
VEN002123	Westfield-Washington Schools	APP018297	5/29/2014	101003223	ECD-OFFICE SUPPLIES	Paper	49.98		
VEN001459	North Central LP	APP018300	5/12/2014	101003226	ECD-VEHICLE GAS/SUPPLIE	Unleaded fuel for March	42.43		
VEN001826	Staples	APP018315	5/29/2014	101003223	ECD-OFFICE SUPPLIES	Office Supplies	28.90		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101003119	ECD-HEALTH AND DENTAL	INS	4,728.45		
VEN000480	CSI Signs	APP018397	6/2/2014	101003337	ECD-PRINTING	Grand Junction Boards	637.22		
VEN000480	CSI Signs	APP018398	6/2/2014	101003337	ECD-PRINTING	Rigid sign print	285.94		
VEN000832	Hamilton Co Leadership Academy	APP018399	6/2/2014	101003347	ECD-PROMOTIONS	Leadership Summit Table of 8	400.00		
VEN001826	Staples	APP018405	6/2/2014	101003223	ECD-OFFICE SUPPLIES	Office Supplies	32.41		
VEN001537	Payroll	APP018415	6/2/2014	101003111	ECD-SALARY	sal	23,215.84		
VEN001537	Payroll	APP018415	6/2/2014	101003120	ECD-FICA AND MEDICARE	fica	1,401.50		
VEN001537	Payroll	APP018415	6/2/2014	101003120	ECD-FICA AND MEDICARE	med	327.76		
VEN001537	Payroll	APP018415	6/2/2014	101003121	ECD-PERF	perf	3,134.15		
VEN002112	Westfield Pharmacy	APP018425	6/3/2014	101003347	ECD-PROMOTIONS	Fresh arrangement for Nancy	30.00		
VEN000949	IN.GOV	APP018571	5/15/2014	101003349	ECD-SERVICES	Background ck new employee	15.00		
Subtotal for Economic and Community Development							100,201.15		

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Fund No. Fund Name									
101 General									
ECD - Building									
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101004119	BLDG-HEALTH AND DENTA	ins	9.39	54133	5/19/2014
VEN000513	DavisVision	APP018281	5/28/2014	101004119	BLDG-HEALTH AND DENTA	ins	29.56		
VEN000402	Cintas	APP018299	5/29/2014	101004223	BLDG-OFFICE SUPPLIES	Boots Kaile Moran	115.00		
VEN001459	North Central LP	APP018300	5/12/2014	101004226	BLDG-VEHICLE GAS	Unleaded fuel for March	212.72		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101004119	BLDG-HEALTH AND DENTA	INS	1,335.57		
Subtotal for ECD - Building							1,702.24		
Parks									
VEN000589	Duke Energy	APP018074	5/14/2014	101005341	PARKS-ELECTRIC	Duke bill	806.15	54131	5/14/2014
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101005119	PARKS-HEALTH AND DENT	ins	21.91	54133	5/19/2014
VEN002280	Endless Summer Band	APP018116	5/19/2014	101005347	PARKS-PROMOTION	Final Payout - Endless Summ	2,800.00		
VEN000243	Blonde Entertainment	APP018117	5/19/2014	101005347	PARKS-PROMOTION	Final Payment - Stella Luna -	1,000.00		
VEN001912	The Brickman Group LTD, LLC	APP018125	5/19/2014	101005349	PARKS-SERVICES	April maint	28,646.88		
VEN002016	UN Communications	APP018126	5/19/2014	101005337	PARKS-PRINTING	Grand Junction Derby Trifold	166.00		
VEN000794	Indy Portables	APP018128	5/19/2014	101005476	PARKS-EQUIP LEASES	Handicap restroom 500 Deer	80.00		
VEN001537	Payroll	APP018170	5/20/2014	101005111	PARKS-SALARY	SAL	12,349.68	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101005120	PARKS-FICA AND MEDICAR	FICA	745.26	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101005120	PARKS-FICA AND MEDICAR	MED	174.30	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101005121	PARKS-PERF	PERF	1,667.21	100050814	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101005111	PARKS-SALARY	PARKS	11,529.09	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101005120	PARKS-FICA AND MEDICAR	FICA	694.39	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101005120	PARKS-FICA AND MEDICAR	MED	162.39	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101005121	PARKS-PERF	PERF	1,556.43	101052114	5/21/2014
VEN000405	Citizens Energy Group	APP018209	5/19/2014	101005349	PARKS-SERVICES	Gas for 330 Main-10-13 thru 4	181.50	54135	5/19/2014
VEN000405	Citizens Energy Group	APP018209	5/19/2014	101005349	PARKS-SERVICES	Gas for 340 Main-10-13 thru 4	649.81	54135	5/19/2014
VEN000381	Cherry Street Plaza LLC	APP018247	5/28/2014	101005366	PARKS-BUILDING LEASE	Monthly rent for 330 Main St A	1,582.77		
VEN000381	Cherry Street Plaza LLC	APP018247	5/28/2014	101005366	PARKS-BUILDING LEASE	Increase effective 3/1/14	47.58		
VEN001971	Tom Gidman	APP018277	5/28/2014	101005347	PARKS-PROMOTION	Electrical service for WR4	600.00		
VEN000577	Donna's Rock and Roll Cruisin Oldies	APP018278	5/28/2014	101005347	PARKS-PROMOTION	Entertainment Service	400.00		
VEN000897	Home City Ice Co	APP018279	5/28/2014	101005347	PARKS-PROMOTION	Ice Agreement	435.00		
VEN000513	DavisVision	APP018281	5/28/2014	101005119	PARKS-HEALTH AND DENT	ins	50.68		
VEN001459	North Central LP	APP018300	5/12/2014	101005226	PARKS-VEHICLE GAS	Unleaded fuel for March	596.93		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101005119	PARKS-HEALTH AND DENT	INS	3,162.73		

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Fund No. Fund Name									
101 General									
Parks									
VEN000589	Duke Energy	APP018389	6/2/2014	101005341	PARKS-ELECTRIC	17415 Oak Ridge Rd	13.62		
VEN000589	Duke Energy	APP018389	6/2/2014	101005341	PARKS-ELECTRIC	Midland Bridge	16.79		
VEN002336	Citizens Westfield	APP018390	6/2/2014	101005342	PARKS-WATER/SEWER	Asa Bales Irrig	25.00		
VEN001537	Payroll	APP018415	6/2/2014	101005111	PARKS-SALARY	sal	13,095.41		
VEN001537	Payroll	APP018415	6/2/2014	101005120	PARKS-FICA AND MEDICAR	fica	791.50		
VEN001537	Payroll	APP018415	6/2/2014	101005120	PARKS-FICA AND MEDICAR	med	185.09		
VEN001537	Payroll	APP018415	6/2/2014	101005121	PARKS-PERF	perf	1,670.69		
VEN002501	Jordan McBride	APP018454	6/3/2014	101005224	PARKS-OPERATING SUPPLI	3 Hoses and Post Pounder	119.96		
Subtotal for Parks							86,024.75		
Informatics									
VEN002175	ZoHo Corporation	APP018049	5/13/2014	101007389	IT-SOFTWARE LICENSING		12,624.00		
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101007119	IT-HEALTH AND DENTAL	ins	21.91	54133	5/19/2014
VEN000604	Eastern Engineering Supply	APP018119	5/19/2014	101007337	IT-PRINTING	Plotter/to be reim by insuranc	14,544.00		
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	1,234.43	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	82.97	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	89.29	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	636.62	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	616.64	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	236.53	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	99.55	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	1,248.36	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance	33.51	54137	5/23/2014
VEN000707	Inside Connect Cable LLC	APP018192	5/13/2014	101007335	IT-TELEPHONE	Land lines and long distance l	180.16	54137	5/23/2014
VEN000348	CDW Government Inc	APP018206	5/20/2014	101007451	IT-COMPUTER/EQUIP	Asa Bales Rack/Tower	482.66		
VEN001687	Robert Half Technology	APP018208	5/15/2014	101007331	IT-CONSULTING	Temp employee for wk ending	467.25		
VEN001687	Robert Half Technology	APP018208	5/15/2014	101007331	IT-CONSULTING	Temp employee for wk ending	267.00		
VEN000348	CDW Government Inc	APP018246	5/28/2014	101007389	IT-SOFTWARE LICENSING		600.00		
VEN002213	Open Control Systems	APP018248	5/28/2014	101007451	IT-COMPUTER/EQUIP		4,565.00		
VEN000348	CDW Government Inc	APP018255	5/28/2014	101007451	IT-COMPUTER/EQUIP	PSB 2nd flr	222.09		
VEN000132	Apparatus	APP018270	5/28/2014	101007331	IT-CONSULTING	Services for April	5,750.00		
VEN000513	DavisVision	APP018281	5/28/2014	101007119	IT-HEALTH AND DENTAL	ins	65.98		
VEN000348	CDW Government Inc	APP018290	5/29/2014	101007451	IT-COMPUTER/EQUIP	Parts	3,590.41		

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Fund No. Fund Name									
101 General									
Informatics									
VEN000348	CDW Government Inc	APP018290	5/29/2014	101007451	IT-COMPUTER/EQUIP	Parts	328.55		
VEN001796	Simcrest	APP018298	5/29/2014	101007331	IT-CONSULTING	Cash Basis	801.25		
VEN001459	North Central LP	APP018300	5/12/2014	101007226	IT-VEHICLE GAS	Unleaded fuel for March	73.46		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101007119	IT-HEALTH AND DENTAL	INS	4,665.83		
VEN000348	CDW Government Inc	APP018421	6/3/2014	101007451	IT-COMPUTER/EQUIP	PW breakroom	977.68		
VEN000132	Apparatus	APP018439	6/2/2014	101007331	IT-CONSULTING	Consulting	5,750.00		
VEN002012	U.S. Bank Equipment Finance	APP018440	6/2/2014	101007337	IT-PRINTING	Training Facility	87.72		
VEN001687	Robert Half Technology	APP018448	6/2/2014	101007331	IT-CONSULTING	Temp employee for wk ending	89.00		
VEN000617	elmanage Technology Group	APP018449	6/3/2014	101007389	IT-SOFTWARE LICENSING	Scribe Software License	10,785.00		
VEN000348	CDW Government Inc	APP018568	6/2/2014	101007451	IT-COMPUTER/EQUIP	Re-entered due to ck was rec	239.73		
VEN000348	CDW Government Inc	APP018568	6/2/2014	101007451	IT-COMPUTER/EQUIP	Re-entered due to ck was rec	289.20		
VEN000348	CDW Government Inc	APP018568	6/2/2014	101007451	IT-COMPUTER/EQUIP	Re-entered due to ck was rec	485.58		
VEN000348	CDW Government Inc	APP018568	6/2/2014	101007451	IT-COMPUTER/EQUIP	Re-entered due to ck was rec	523.76		
Subtotal for Informatics							72,555.12		

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Fund No. Fund Name									
101 General									
Clerk Treasurer									
VEN001537	Payroll	APP018096	5/15/2014	101008331	CT-CONSULTING	Processing charges for period	767.96	101051514	5/15/2014
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101008119	CT-HEALTH AND DENTAL	ins	18.78	54133	5/19/2014
VEN001826	Staples	APP018127	5/19/2014	101008223	CT-OFFICE SUPPLIES	Office supplies	66.96		
VEN000837	Hamilton County Auditor Courthouse	APP018139	5/19/2014	101008349	CT-SERVICES	transfers	30.00	54134	5/19/2014
VEN001537	Payroll	APP018172	5/20/2014	101008111	CT-SALARY	SAL	60,698.09	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101008120	CT-FICA AND MEDICARE	FICA	3,608.26	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101008120	CT-FICA AND MEDICARE	MED	843.89	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101008121	CT-PERF	PERF	7,427.43	101052114	5/21/2014
VEN001537	Payroll	APP018178	5/21/2014	101008331	CT-CONSULTING	Etime	2,036.43	100052114	5/21/2014
VEN001142	JP Morgan Chase	APP018182	5/13/2014	101965	PCARD PAYABLE		132,980.55	100051314	5/21/2014
VEN000513	DavisVision	APP018281	5/28/2014	101008119	CT-HEALTH AND DENTAL	ins	65.98		
VEN002123	Westfield-Washington Schools	APP018297	5/29/2014	101008223	CT-OFFICE SUPPLIES	Paper	74.97		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101008119	CT-HEALTH AND DENTAL	INS	3,651.05		
VEN001469	O W Krohn and Associates	APP018374	6/2/2014	101008349	CT-SERVICES	Professional services for April	10,070.00		
VEN001637	Ray's Trash Service	APP018383	6/2/2014	101008349	CT-SERVICES	Cross shredder	39.20		
VEN001537	Payroll	APP018384	6/2/2014	101008331	CT-CONSULTING	Processing charges for period	760.84		
VEN001826	Staples	APP018422	6/3/2014	101008223	CT-OFFICE SUPPLIES	Office supplies	10.12		
Subtotal for Clerk Treasurer							223,150.51		
Mayor									
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101009119	MAYOR-HEALTH AND DENT	ins	3.13	54133	5/19/2014
VEN000513	DavisVision	APP018281	5/28/2014	101009119	MAYOR-HEALTH AND DENT	ins	12.14		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101009119	MAYOR-HEALTH AND DENT	INS	657.60		
VEN002112	Westfield Pharmacy	APP018425	6/3/2014	101009347	MAYOR-PROMOTIONS	Fresh arrangement for Anne a	110.00		
VEN001913	The Bridgewater Club LLC	APP018438	6/3/2014	101009347	MAYOR-PROMOTIONS	Banquet and meeting luncheo	1,357.28		
Subtotal for Mayor							2,140.15		
City Council									
VEN001205	L.E. Isley and Sons Inc	APP018436	6/3/2014	101010349	CITY COUNCIL-SERVICES	Clinic House repair	137.00		
VEN001704	Roto-Rooter	APP018446	6/2/2014	101010347	CITY COUNCIL-PROMOTION	Open Doors	344.00		
Subtotal for City Council							481.00		

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Fund No. Fund Name									
101	General								
Public Works									
VEN000589	Duke Energy	APP018074	5/14/2014	101013341	PW-ELECTRIC	Duke bill	3,430.21	54131	5/14/2014
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	101013119	PW-HEALTH AND DENTAL	ins	59.47	54133	5/19/2014
VEN001537	Payroll	APP018170	5/20/2014	101013111	PW-SALARY	SAL	53,506.15	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101013120	PW-FICA AND MEDICARE	FICA	3,135.82	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101013120	PW-FICA AND MEDICARE	MED	733.38	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	101013121	PW-PERF	PERF	7,223.33	100050814	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101013111	PW-SALARY	SAL	53,795.69	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101013120	PW-FICA AND MEDICARE	FICA	3,157.28	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101013120	PW-FICA AND MEDICARE	MED	738.39	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	101013121	PW-PERF	PERF	7,262.42	101052114	5/21/2014
VEN002430	Brandon Oliver	APP018256	5/28/2014	101013350	PW-SUBS/DUES/MEMBERS	CDL permit	16.00		
VEN000593	Dustin Shoe	APP018258	5/28/2014	101013334	PW-TRAVEL/TRAINING/SEMI	Parking while downtown for th	7.00		
VEN001826	Staples	APP018260	5/28/2014	101013223	PW-OFFICE SUPPLIES	Office Supplies	41.47		
VEN000513	DavisVision	APP018281	5/28/2014	101013119	PW-HEALTH AND DENTAL	ins	270.78		
VEN000604	Eastern Engineering Supply	APP018291	5/29/2014	101013347	PW-PROMOTIONS	Large format bond Rev signag	21.38		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	101013119	PW-HEALTH AND DENTAL	INS	18,895.42		
VEN001826	Staples	APP018405	6/2/2014	101013223	PW-OFFICE SUPPLIES	Office Supplies	25.74		
VEN002503	Indiana Rural Water Association	APP018410	6/2/2014	101013334	PW-TRAVEL/TRAINING/SEMI	IRWA Spring Conference 4/2	120.00		
VEN001537	Payroll	APP018415	6/2/2014	101013111	PW-SALARY	sal	48,528.06		
VEN001537	Payroll	APP018415	6/2/2014	101013120	PW-FICA AND MEDICARE	fica	2,833.13		
VEN001537	Payroll	APP018415	6/2/2014	101013120	PW-FICA AND MEDICARE	med	662.59		
VEN001537	Payroll	APP018415	6/2/2014	101013121	PW-PERF	perf	6,551.29		
VEN000617	eImagine Technology Group	APP018449	6/3/2014	101013451	PW-COMPUTER EQUIPMEN	Prepaid hours	7,500.00		
VEN000562	DLZ	APP018451	6/3/2014	101001474	ADM-CONSTRUCT UTL SAL	Monon Trail	22,075.70		
VEN000562	DLZ	APP018455	6/3/2014	101001474	ADM-CONSTRUCT UTL SAL	Monon Trail	12,809.22		
VEN002508	VW Real Estate LLC	APP018458	6/2/2014	101001474	ADM-CONSTRUCT UTL SAL	Parcel 5 Extension of Mill Stre	20,000.00		
VEN001653	Regions Insurance Inc	APP018459	6/2/2014	101013339	PW-INSURANCE	Add 2013 24" planer-attachm	65.00		
VEN002336	Citizens Westfield	APP018570	6/3/2014	101013342	PW-WATER/SEWER	2706 E 171 Admin	69.36		
VEN002336	Citizens Westfield	APP018570	6/3/2014	101013342	PW-WATER/SEWER	2728 E 171	265.39		
VEN002336	Citizens Westfield	APP018570	6/3/2014	101013342	PW-WATER/SEWER	2706 E 171 Shop	110.38		
VEN000949	IN.GOV	APP018571	5/15/2014	101013347	PW-PROMOTIONS	Background ck new employee	15.00		
Subtotal for Public Works							273,925.05		

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Subtotal for Fund 101 General							2,318,014.26		
Fund No. Fund Name									
201	Motor Vehicle Highway (MVH)								
Public Works									
VEN000589	Duke Energy	APP018074	5/14/2014	201013341	MVH-ELECTRIC	Duke bill	1,484.23	54131	5/14/2014
VEN000201	Baumgartner and Co	APP018077	5/14/2014	201013349	MVH-SERVICES	Resurface- 171st Street from	101,114.34		
VEN000201	Baumgartner and Co	APP018078	5/14/2014	201013231	MVH-SUBGRADE MATERIAL	Casey Road stabilization	42,502.50		
VEN000201	Baumgartner and Co	APP018079	5/14/2014	201013349	MVH-SERVICES	Resurface- Towne Rd from 1	89,329.18		
VEN001384	Milestone Contractors LLP	APP018095	5/15/2014	201013349	MVH-SERVICES	Resurface- Public Safety Bldg	59,337.63		
VEN002234	Land Collective LLC	APP018204	5/23/2014	201013349	MVH-SERVICES	Grand Junction Landscape C	0.00		
VEN002039	USIC Locating Services	APP018263	5/28/2014	201013349	MVH-SERVICES	Locates	95.55		
VEN001731	Sagamore Ready Mix LLC	APP018265	5/28/2014	201013231	MVH-SUBGRADE MATERIAL	Countryside	271.50		
VEN001459	North Central LP	APP018268	5/28/2014	201013226	MVH-VEHICLE GAS/ SUPPLI	Diesel	985.03		
VEN001676	Riverview Hospital	APP018269	5/28/2014	201013349	MVH-SERVICES	CDL physical	65.00		
VEN001384	Milestone Contractors LLP	APP018271	5/28/2014	201013231	MVH-SUBGRADE MATERIAL	Surface	44.46		
VEN001384	Milestone Contractors LLP	APP018272	5/28/2014	201013231	MVH-SUBGRADE MATERIAL	19 Inter	177.66		
VEN001809	Southeastern Equipment	APP018273	5/28/2014	201013345	MVH-EQUIP REPAIR	Alamo mower repair	178.51		
VEN000975	Indiana Oxygen Company	APP018274	5/28/2014	201013226	MVH-VEHICLE GAS/ SUPPLI	Acetylene and Oxygen	22.74		
VEN001778	Shelby Materials	APP018275	5/28/2014	201013231	MVH-SUBGRADE MATERIAL	Oak Ridge Rd and Fox Lane	694.00		
VEN001731	Sagamore Ready Mix LLC	APP018276	5/28/2014	201013231	MVH-SUBGRADE MATERIAL	Calcium	3,800.00		
VEN000682	Fastenal	APP018292	5/29/2014	201013226	MVH-VEHICLE GAS/ SUPPLI	Supplies	27.69		
VEN001459	North Central LP	APP018300	5/12/2014	201013226	MVH-VEHICLE GAS/ SUPPLI	Unleaded fuel for March	10,037.96		
VEN001044	Irving Materials	APP018402	6/2/2014	201013231	MVH-SUBGRADE MATERIAL	Stone	418.29		
VEN000975	Indiana Oxygen Company	APP018403	6/2/2014	201013226	MVH-VEHICLE GAS/ SUPPLI	Oxygen	33.98		
VEN001384	Milestone Contractors LLP	APP018404	6/2/2014	201013231	MVH-SUBGRADE MATERIAL	Surface	332.81		
VEN001367	Midwest Toxicology Servic	APP018406	6/2/2014	201013349	MVH-SERVICES	Drug testing	55.00		
VEN001384	Milestone Contractors LLP	APP018441	6/2/2014	201013231	MVH-SUBGRADE MATERIAL	Surface	59.85		
VEN002505	Tom Yegerlehner	APP018489	6/2/2014	201013360	MVH-VEHICLE REPAIR	vehicle damage	120.00		
VEN000589	Duke Energy	APP018491	6/3/2014	201013341	MVH-ELECTRIC	Farr Hills	62.51		
VEN000589	Duke Energy	APP018491	6/3/2014	201013341	MVH-ELECTRIC	Farr Hills Hwy lights	53.80		
Subtotal for Public Works							311,304.22		
Subtotal for Fund 201 Motor Vehicle Highway (MVH)							311,304.22		

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Fund No. Fund Name									
202 Local Road and Street (LRS)									
Public Works									
VEN000608	Eco-Infrastrcture Solution	APP018129	5/19/2014	202013472	LRS-EQUIPMENT	25 cases of marking paint	1,050.00		
VEN001000	Indianapolis Star	APP018257	5/28/2014	202013349	LRS-SERVICES	2014 Resurfacing and Road/	46.41		
VEN000682	Fastenal	APP018261	5/28/2014	202013472	LRS-EQUIPMENT	Signs	45.03		
VEN000218	Bernardin Lochmueller and Assoc.	APP018368	6/2/2014	202013349	LRS-SERVICES	Grand Junction Reg Det Desi	13,690.11		
Subtotal for Public Works							14,831.55		
Subtotal for Fund 202 Local Road and Street (LRS)							14,831.55		
Fund No. Fund Name									
203 Fire Operating									
Fire									
VEN000589	Duke Energy	APP018074	5/14/2014	203012341	FIRE-ELECTRIC	Duke bill	3,789.15	54131	5/14/2014
VEN000405	Citizens Energy Group	APP018075	5/14/2014	203012328	FIRE-GAS/HEAT	Sta 83	517.34	54129	5/14/2014
VEN001250	Lincoln National Life Insurance Co	APP018110	5/19/2014	203012119	FIRE-HEALTH AND DENTAL	ins	215.97	54133	5/19/2014
VEN001459	North Central LP	APP018147	5/20/2014	203012226	FIRE-VEHICLE GAS/SUPPLIE	April	6,767.87		
VEN001417	Napa Auto Parts	APP018148	5/20/2014	203012360	FIRE-VEHICLE MAINT	mower-82, oil filter, oil	247.55		
VEN000974	Indiana Newspapers	APP018150	5/20/2014	203012350	FIRE-SUBSCRIPTIONS/DUE		24.50		
VEN000633	Embroidery Plus	APP018151	5/20/2014	203012229	FIRE-UNIFORMS	Polos, windshirt, black jacket	191.00		
VEN002028	UPS	APP018152	5/20/2014	203012333	FIRE-POSTAGE		30.56		
VEN001615	Public Safety Medical Services	APP018153	5/20/2014	203012354	FIRE-MEDICAL EXAMS/TEST	Physicals	17,908.62		
VEN001877	T and T Sales promotions	APP018154	5/20/2014	203012229	FIRE-UNIFORMS	Stock Clothing	1,822.20		
VEN000447	Consolidated Fleet Services	APP018155	5/20/2014	203012472	FIRE-EQUIP	remaining balance for L-81	499.50		
VEN000301	Buckeye Power Sales Co	APP018156	5/20/2014	203012349	FIRE-SERVICES	contract for Station 81	650.00		
VEN001264	Love At First Sight	APP018157	5/20/2014	203012347	FIRE-PROMOTIONS	Flowers for Brad Shade Funer	153.00		
VEN001615	Public Safety Medical Services	APP018159	5/20/2014	203012354	FIRE-MEDICAL EXAMS/TEST	4 employees blood tests for p	416.31		
VEN001704	Roto-Rooter	APP018160	5/20/2014	203012343	FIRE-BUILDING MAINTENAN	repair leak in copper pipe	191.23		
VEN002353	Boldens Cleaners	APP018161	5/20/2014	203012229	FIRE-UNIFORMS	dry cleaning	120.55		
VEN001942	The Uniform House, Inc	APP018163	5/20/2014	203012229	FIRE-UNIFORMS	O'hara - tactical shirt	35.40		
VEN000214	Behind The Seams	APP018164	5/20/2014	203012229	FIRE-UNIFORMS	Turnout gear repairs	240.00		
VEN002425	AFC International Inc	APP018165	5/20/2014	203012472	FIRE-EQUIP		6,394.56		
VEN001860	Sungard Public Sector	APP018166	5/20/2014	203012350	FIRE-SUBSCRIPTIONS/DUE	Support fees for EMS/Fire exp	186.67		
VEN000859	Hare Chevrolet	APP018167	5/20/2014	203012360	FIRE-VEHICLE MAINT	Todd Burtron's vehicle	229.74		
VEN001108	Jeremy Devitt	APP018169	5/20/2014	203012334	FIRE-TRAVEL/TRAINING/SE	Spring Tuition	2,817.90		

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Fund No. Fund Name									
203 Fire Operating									
Fire									
VEN001537	Payroll	APP018170	5/20/2014	203012111	FIRE-SALARY	SAL	170,166.63	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	203012120	FIRE-FICA AND MEDICARE	FICA	10,082.93	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	203012120	FIRE-FICA AND MEDICARE	MED	2,358.10	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	203012121	FIRE-PERF	PERF	31,764.89	100050814	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	203012111	FIRE-SALARY	SAL	168,539.25	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	203012120	FIRE-FICA AND MEDICARE	FICA	9,982.02	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	203012120	FIRE-FICA AND MEDICARE	MED	2,334.52	101052114	5/21/2014
VEN001537	Payroll	APP018172	5/20/2014	203012121	FIRE-PERF	PERF	31,847.92	101052114	5/21/2014
VEN000849	Hamilton County Treasurer	APP018205	5/19/2014	203012349	FIRE-SERVICES	E911 dispatch services	30,182.75		
VEN002336	Citizens Westfield	APP018210	5/14/2014	203012342	FIRE-WATER/SEWER		82.18	54126	5/23/2014
VEN001140	Josh Southerland	APP018239	5/19/2014	203012334	FIRE-TRAVEL/TRAINING/SE	Spring tuition reimbursement	906.90		
VEN000040	Adam Robinson	APP018240	5/19/2014	203012334	FIRE-TRAVEL/TRAINING/SE	spring tuition	923.44		
VEN000513	DavisVision	APP018281	5/28/2014	203012119	FIRE-HEALTH AND DENTAL	ins	698.34		
VEN002123	Westfield-Washington Schools	APP018297	5/29/2014	203012223	FIRE-OFFICE SUPPLIES	Paper	49.98		
VEN001459	North Central LP	APP018300	5/12/2014	203012226	FIRE-VEHICLE GAS/SUPPLIE	Unleaded fuel for March	1,635.74		
VEN000052	Advantage HMO Health Plans	APP018319	5/29/2014	203012119	FIRE-HEALTH AND DENTAL	INS	48,810.38		
VEN001846	Stoops Freightliner	APP018360	6/2/2014	203012360	FIRE-VEHICLE MAINT	E-81, E-82 - block, batt term	55.68		
VEN000682	Fastenal	APP018361	6/2/2014	203012343	FIRE-BUILDING MAINTENAN		11.71		
VEN000575	Donley Safety	APP018362	6/2/2014	203012360	FIRE-VEHICLE MAINT	Drive shaft, key, spacer, bearin	73.33		
VEN000609	Ecolab	APP018363	6/2/2014	203012343	FIRE-BUILDING MAINTENAN	Oven Repair	312.30		
VEN001615	Public Safety Medical Services	APP018364	6/2/2014	203012354	FIRE-MEDICAL EXAMS/TEST	physicals	2,910.72		
VEN001637	Ray's Trash Service	APP018365	6/2/2014	203012350	FIRE-SUBSCRIPTIONS/DUE	shredding - may	33.60		
VEN001202	Kyle Howe	APP018367	6/2/2014	203012334	FIRE-TRAVEL/TRAINING/SE	Kyle Howe shoes - reimburse	41.18		
VEN001817	Spill 911 Inc	APP018387	6/2/2014	203012242	FIRE-HAZMAT	1 skid of lite dri	847.85		
VEN001367	Midwest Toxicology Servic	APP018394	6/2/2014	203012354	FIRE-MEDICAL EXAMS/TEST	Drug and Alcohol testing	88.00		
VEN001000	Indianapolis Star	APP018396	6/2/2014	203012337	FIRE-PRINTING	Merit Board Agenda April	36.75		
VEN001537	Payroll	APP018415	6/2/2014	203012111	FIRE-SALARY	sal	170,428.50		
VEN001537	Payroll	APP018415	6/2/2014	203012120	FIRE-FICA AND MEDICARE	fica	10,099.15		
VEN001537	Payroll	APP018415	6/2/2014	203012120	FIRE-FICA AND MEDICARE	med	2,361.84		
VEN001537	Payroll	APP018415	6/2/2014	203012121	FIRE-PERF	perf	31,763.02		
VEN000739	Frontier	APP018460	6/2/2014	203012349	FIRE-SERVICES	Postage, Elevator	64.62		
VEN000644	Enviro-max Inc	APP018463	6/2/2014	203012343	FIRE-BUILDING MAINTENAN		1,631.04		

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Fund No. Fund Name									
203	Fire Operating								
Fire									
VEN000406	Citizens Water	APP018566	6/3/2014	203012342	FIRE-WATER/SEWER		79.61		
VEN002336	Citizens Westfield	APP018569	6/3/2014	203012342	FIRE-WATER/SEWER	Sta 82	188.39		
VEN002336	Citizens Westfield	APP018569	6/3/2014	203012342	FIRE-WATER/SEWER	Sta 83 Domestic	302.52		
VEN002336	Citizens Westfield	APP018569	6/3/2014	203012342	FIRE-WATER/SEWER	Sta 83 Fire Fill	99.76		
Subtotal for Fire							775,245.16		
Subtotal for Fund 203 Fire Operating							775,245.16		
Fund No. Fund Name									
204	Park Impact								
Parks									
VEN002234	Land Collective LLC	APP018204	5/23/2014	204005349	PARK IMPACT-SERVICES	Grand Junction Landscape C	46,726.00		
VEN002506	Habitat for Humanity Hamilton Co	APP018408	6/2/2014	204005349	PARK IMPACT-SERVICES	Habitat for Humanity	1,120.00		
Subtotal for Parks							47,846.00		
Subtotal for Fund 204 Park Impact							47,846.00		
Fund No. Fund Name									
264	Road and Street Improvement (Road Impact)								
Public Works									
VEN000201	Baumgartner and Co	APP018078	5/14/2014	264013349	ROAD IMPACT-SERVICES	Casey Road stabilization	51,460.00		
VEN002019	United Consulting Engineers	APP018091	5/15/2014	264013349	ROAD IMPACT-SERVICES	Supplemental Agreement #1	28,389.00		
VEN000103	American Structurepoint Inc	APP018197	5/23/2014	264013349	ROAD IMPACT-SERVICES	Replaces PO1988/GP Traffic	1,652.70		
VEN002506	Habitat for Humanity Hamilton Co	APP018408	6/2/2014	264013349	ROAD IMPACT-SERVICES	Habitat for Humanity	1,800.00		
VEN002499	Countryside Homeowners Assoc	APP018444	6/2/2014	264013349	ROAD IMPACT-SERVICES	Parcel 5 161st Street	400.00		
Subtotal for Public Works							83,701.70		
Subtotal for Fund 264 Road and Street Improvement (Road Impact)							83,701.70		

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Fund No. Fund Name									
268	Emergency Medical and Equip								
Fire									
VEN001050	IU Health Ball Memorial Hospital	APP018149	5/20/2014	268012224	EMS-OPERATING SUPPLIES	Fentanyl	19.90		
VEN000065	Airgas Mid America	APP018158	5/20/2014	268012224	EMS-OPERATING SUPPLIES	Oxygen and rental-april	288.24		
VEN000266	Bound Tree Medical	APP018162	5/20/2014	268012224	EMS-OPERATING SUPPLIES	EMS Supplies - April	1,969.81		
VEN002426	Horizon Medical Products	APP018168	5/20/2014	268012472	EMS-EQUIPMENT	Microdot Xtra Test Strips, Sol	270.45		
VEN000065	Airgas Mid America	APP018321	5/29/2014	268012224	EMS-OPERATING SUPPLIES	Oxygen	12.30		
VEN000403	Ciproms Inc	APP018366	6/2/2014	268012349	EMS-SERVICES	Services for April	1,167.70		
VEN000373	Chase Equipment Finance Inc	APP018488	5/28/2014	268012473	EMS-EMERGENCY MEDICAL	ambulance lease	18,915.69		
Subtotal for Fire							22,644.09		
Subtotal for Fund 268 Emergency Medical and Equip							22,644.09		
Fund No. Fund Name									
269	Training Facility Center								
Public Safety (Police and Fire)									
VEN002191	Noblesville Utilities	APP018143	5/14/2014	269014342	TRAINING FAC-WATER/SE	Sewer charge for April	18.52	54127	5/14/2014
VEN000405	Citizens Energy Group	APP018179	5/21/2014	269014342	TRAINING FAC-WATER/SE	Water Consumption Training	12.51	54136	5/21/2014
VEN000589	Duke Energy	APP018388	6/2/2014	269014341	TRAINING FAC-ELECTRIC	Training Facility Const Temp	52.23		
VEN000589	Duke Energy	APP018388	6/2/2014	269014341	TRAINING FAC-ELECTRIC	Training Facility Fire Dep	265.09		
Subtotal for Public Safety (Police and Fire)							348.35		
Subtotal for Fund 269 Training Facility Center							348.35		
Fund No. Fund Name									
301	Eastside TIF								
RDC									
VEN000961	Indiana Dept Of Transportation	APP018094	5/15/2014	301018280	EASTSIDE TIF DEBT SERVIC	156th Street Bridge SIB loan 3	236,290.90		
Subtotal for RDC							236,290.90		
Subtotal for Fund 301 Eastside TIF							236,290.90		
Fund No. Fund Name									
313	2012 and 2013 COIT BAN Construction								
Grand Park									
VEN001716	Runyon Equipment Rental	APP018121	5/19/2014	313015474	2012-13 COIT BAN-CONSTR	Grand Park Hwy 31 north to st	4,175.00		
VEN001716	Runyon Equipment Rental	APP018122	5/19/2014	313015474	2012-13 COIT BAN-CONSTR	Grand Park of off 191st	2,144.35		
VEN002336	Citizens Westfield	APP018234	5/14/2014	313015474	2012-13 COIT BAN-CONSTR	Temporary Water Bills for Bui	1,793.02	54125	5/14/2014

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Fund No. Fund Name									
313	2012 and 2013 COIT BAN Construction								
Grand Park									
VEN001716	Runyon Equipment Rental	APP018249	5/28/2014	313015474	2012-13 COIT BAN-CONSTR	Temporary Lights	390.00		
VEN002196	Mobile Mini	APP018251	5/28/2014	313015474	2012-13 COIT BAN-CONSTR	Connex Rental	138.59		
VEN002363	Myers Sod Farm LLC	APP018252	5/28/2014	313015474	2012-13 COIT BAN-CONSTR	Sod for TSGR	1,912.40		
VEN002357	OnSite Services of North Central Indiana	APP018253	5/28/2014	313015474	2012-13 COIT BAN-CONSTR	Temporary Portolets	26,301.00		
VEN001637	Ray's Trash Service	APP018254	5/28/2014	313015474	2012-13 COIT BAN-CONSTR	Trash Removal	1,612.94		
VEN000589	Duke Energy	APP018283	5/27/2014	313015474	2012-13 COIT BAN-CONSTR	Construction Power	2,800.57		
VEN000103	American Structurepoint Inc	APP018318	5/29/2014	313015349	2012-13 COIT BAN-SERVICE	GP Signage Plan for traffic go	10,750.00		
VEN001710	RQAW Corp	APP018323	5/29/2014	313015349	2012-13 COIT BAN-SERVICE	Maintenace Buildings	592.00		
VEN002432	Indiana Bulls Baseball Inc	APP018371	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Indiana Bulls Equipment	196,000.00		
VEN002255	Toshiba Business Solution usa inc	APP018375	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Scoreboards	139,175.27		
VEN002356	Natural Sand Company Inc	APP018377	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Natural Baseball Field Materia	221,310.68		
VEN001362	Mid-America Golf and Landscape	APP018392	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	TSGR - Baseball Finishes	25,000.00		
VEN001362	Mid-America Golf and Landscape	APP018393	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	TSGR - Baseball Finishes CO	399,000.00		
VEN001637	Ray's Trash Service	APP018400	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Trash Removal	1,173.94		
VEN001708	RPM Machinery	APP018407	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Excavator Rental for Topsoil	3,516.50		
VEN002196	Mobile Mini	APP018434	6/3/2014	313015474	2012-13 COIT BAN-CONSTR	Construction Trailer	275.00		
VEN002259	Central Indiana Hardware	APP018442	6/1/2014	313015474	2012-13 COIT BAN-CONSTR	Door Cores & Keys	78.50		
VEN001671	Rieth-Riley Construction	APP018472	6/3/2014	313015474	2012-13 COIT BAN-CONSTR	Roadways, Parking Lots & Sit	183,270.60		
VEN001671	Rieth-Riley Construction	APP018472	6/3/2014	313015474	2012-13 COIT BAN-CONSTR	Rieth-Riley Change Orders#3	234,864.00		
VEN001410	Myers Construction Mgmt Inc	APP018477	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Maintenance Buildings & Con	347,700.05		
VEN001410	Myers Construction Mgmt Inc	APP018477	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Maint Bldg & Concessions C	202,794.00		
VEN002344	Gared Sports	APP018478	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Lacrosse Goals	4,410.00		
VEN001931	The Motz Group LLC	APP018479	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Motz CO#02-04 Fence Toppe	65,429.35		
VEN000480	CSI Signs	APP018480	6/3/2014	313015474	2012-13 COIT BAN-CONSTR	Site Signage	164,539.00		
VEN000437	Commercial Irrigation and Turf	APP018481	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	TSGR Irrigation Work	104,604.50		
VEN000304	Bullseye Fence Design Inc	APP018482	6/2/2014	313015474	2012-13 COIT BAN-CONSTR	Fencing Repair for TSGR	35,000.00		
VEN002236	Miller Surveying Inc	APP018494	6/3/2014	313015474	2012-13 COIT BAN-CONSTR	TSGR Surveying	3,031.50		
VEN002236	Miller Surveying Inc	APP018495	6/3/2014	313015474	2012-13 COIT BAN-CONSTR	TSGR Surveying	5,731.00		
Subtotal for Grand Park							2,389,513.76		
Subtotal for Fund 313 2012 and 2013 COIT BAN Construction							2,389,513.76		

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Fund No. Fund Name									
427	Cum. Capital Development								
Administration									
VEN000373	Chase Equipment Finance Inc	APP017975	5/19/2014	427001473	CUM CAP DEV-VEHICLE LEA	pumper truck	45,013.74	107050114	5/19/2014
Subtotal for Administration							45,013.74		
Subtotal for Fund 427 Cum. Capital Development							45,013.74		
Fund No. Fund Name									
546	Debt Service PSB Lease Rental								
Public Safety (Police and Fire)									
VEN002032	US Bank	APP018483	6/3/2014	546014366	PSB-LEASE RENTAL PYMT	semi annual lease payment	284,500.00		
Subtotal for Public Safety (Police and Fire)							284,500.00		
Subtotal for Fund 546 Debt Service PSB Lease Rental							284,500.00		
Fund No. Fund Name									
640	Sports Campus Operating								
Grand Park									
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	946 186th St Tenant	263.51		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	706 186th St Tenant	250.77		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	710 186th St	687.04		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	571 191st	828.16		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	10 186th St Pump	422.29		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	712 186th St #5	505.48		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	938 186th St #4	518.38		
VEN000589	Duke Energy	APP018282	5/27/2014	640015341	SPORTS CAMPUS-ELECTRI	571 191st St	887.63		
VEN000877	Henke Development LLC	APP018373	6/2/2014	640015349	SPORTS CAMPUS-SERVICE	Grand Park Management Fee	7,500.00		
VEN001912	The Brickman Group LTD, LLC	APP018492	6/3/2014	640015349	SPORTS CAMPUS-SERVICE	Grand Park Soccer services f	76,201.13		
VEN000877	Henke Development LLC	APP018493	6/3/2014	640015349	SPORTS CAMPUS-SERVICE	Advisory on Westfield Sports	12,500.00		
VEN002228	Indiana Sports Properties	APP018567	6/3/2014	640015349	SPORTS CAMPUS-SERVICE	Property Management for Gra	21,500.00		
Subtotal for Grand Park							122,064.39		
Subtotal for Fund 640 Sports Campus Operating							122,064.39		

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Fund No. Fund Name									
641	Supplemental Reserv								
Administration									
VEN001826	Staples	APP018316	5/29/2014	641001349	SUPPLE RESERV CONTR S	Office Supplies	12.45		
VEN002123	Westfield-Washington Schools	APP018317	5/29/2014	641001349	SUPPLE RESERV CONTR S	Paper for Jan, Feb & part of M	111.56		
VEN002435	Kerry A Whitt	APP018443	6/2/2014	641001349	SUPPLE RESERV CONTR S	Farr Hills Sanitary Sewer/Wat	1,550.00		
VEN000220	Berry Electric	APP018450	6/3/2014	641001349	SUPPLE RESERV CONTR S	River Rd water plant	840.67		
VEN002502	George E Booth Co Inc	APP018452	6/3/2014	641001349	SUPPLE RESERV CONTR S	2/6 replaced yagi antennae at	712.50		
VEN002502	George E Booth Co Inc	APP018452	6/3/2014	641001349	SUPPLE RESERV CONTR S	Installed Chlorine leak detecto	1,684.50		
Subtotal for Administration							4,911.68		
Subtotal for Fund 641 Supplemental Reserv							4,911.68		
Fund No. Fund Name									
646	WestfieldConnects								
WestfieldConnects									
VEN001462	Northern Lights	APP018180	5/21/2014	646019349	WESTFIELDCONNECTS-SE	Utility locating services for Apr	1,037.00		
VEN000965	Indiana Fiber Network	APP018181	5/21/2014	646019349	WESTFIELDCONNECTS-SE	Generator/Power Monitoring f	140.00		
VEN000678	Faegre Baker Daniels	APP018280	5/28/2014	646019349	WESTFIELDCONNECTS-SE	Network Disposition	5,955.50		
VEN000965	Indiana Fiber Network	APP018372	6/2/2014	646019349	WESTFIELDCONNECTS-SE	151st Street & US31	8,796.00		
VEN000965	Indiana Fiber Network	APP018372	6/2/2014	646019349	WESTFIELDCONNECTS-SE	181st Street & US 31	26,753.04		
Subtotal for WestfieldConnects							42,681.54		
Subtotal for Fund 646 WestfieldConnects							42,681.54		
Fund No. Fund Name									
651	Infrastructure Improv								
Public Works									
VEN002508	WW Real Estate LLC	APP018575	6/3/2014	651013474	INFRASTRUCTURE IMPRO	Parcel 5 Extension of Mill Stre	20,000.00		
VEN000562	DLZ	APP018576	6/3/2014	651013474	INFRASTRUCTURE IMPRO	Monon Trail	22,075.70		
VEN000562	DLZ	APP018578	6/3/2014	651013474	INFRASTRUCTURE IMPRO	Monon Trail	12,809.22		
Subtotal for Public Works							54,884.92		
Subtotal for Fund 651 Infrastructure Improv							54,884.92		
Fund No. Fund Name									
701	Payroll								
Clerk Treasurer									
VEN001550	PERF	APP018045	5/13/2014	701008133	PAYROLL-PERF	CIVILIAN PERF	34,107.37	101051514	5/15/2014

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Fund No. Fund Name									
701 Payroll									
Clerk Treasurer									
VEN000008	77 Police and Fire Fund	APP018046	5/13/2014	701008133	PAYROLL-PERF	NON CIVILIAN PERF	46,619.20	100051514	5/15/2014
VEN000959	Indiana Dept Of Revenue	APP018173	5/20/2014	701008923	PAYROLL-STATE WITHHOL	STATE	14,084.29	104052314	5/23/2014
VEN000959	Indiana Dept Of Revenue	APP018173	5/20/2014	701008923	PAYROLL-STATE WITHHOL	COIT	4,516.53	104052314	5/23/2014
VEN000920	Huntington National Bank	APP018174	5/20/2014	701008131	PAYROLL-EMPLOYER'S FIC	FICA	26,670.82	103052214	5/22/2014
VEN000920	Huntington National Bank	APP018174	5/20/2014	701008132	PAYROLL-EMPLOYER'S ME	MED	6,237.53	103052214	5/22/2014
VEN000920	Huntington National Bank	APP018174	5/20/2014	701008921	PAYROLL-FEDERAL WITHH	FED	51,597.17	103052214	5/22/2014
VEN000920	Huntington National Bank	APP018174	5/20/2014	701008922	PAYROLL-EMPLOYEE FICA	MED	6,237.56	103052214	5/22/2014
VEN000920	Huntington National Bank	APP018174	5/20/2014	701008922	PAYROLL-EMPLOYEE FICA	FICA	26,670.85	103052214	5/22/2014
VEN000058	AFLAC	APP018175	5/20/2014	701008930	PAYROLL-INS. DED	INS	8,126.68	16189	5/20/2014
VEN000833	Hamilton Co Superior Court	APP018213	5/22/2014	701008142	PAYROLL-GARNISHMENT	Garnishment	140.06	16192	5/23/2014
VEN001864	Supporting heroes	APP018214	5/22/2014	701008991	PAYROLL-MISC	Employee Contribution	130.12	16193	5/23/2014
VEN000703	Fire Fighters Credit Union	APP018215	5/22/2014	701008141	PAYROLL-UNION DUES	Union Dues	1,837.19	16190	5/23/2014
VEN001583	Police and Firemen's Insurance	APP018216	5/22/2014	701008930	PAYROLL-INS. DED	Insurance Premium	69.12	16191	5/23/2014
VEN000948	IN Family and Social Services Administr	APP018217	5/22/2014	701008140	PAYROLL-SUPPORT WITHH	Child Support	2,222.42	103052314	5/23/2014
VEN000163	Aul Retirement	APP018218	5/21/2014	701008931	PAYROLL-401A MATCHING-	loans	4,195.63	101052314	5/21/2014
VEN000163	Aul Retirement	APP018219	5/21/2014	701008931	PAYROLL-401A MATCHING-	retirement	10,594.08	102052314	5/21/2014
VEN000008	77 Police and Fire Fund	APP018232	5/22/2014	701008133	PAYROLL-PERF	Non-Civilian PERF	46,619.20	100052314	5/23/2014
VEN001550	PERF	APP018233	5/22/2014	701008133	PAYROLL-PERF	Civilian PERF	34,620.75	105052314	5/23/2014
VEN000052	Advantage HMO Health Plans	APP018320	5/29/2014	701008930	PAYROLL-INS. DED	INS	2,731.52		
VEN001537	Payroll	APP018411	6/2/2014	701008110	PAYROLL-NET SALARIES	net sal	304,394.27		
VEN000959	Indiana Dept Of Revenue	APP018412	6/2/2014	701008923	PAYROLL-STATE WITHHOL	state	13,858.80		
VEN000959	Indiana Dept Of Revenue	APP018412	6/2/2014	701008923	PAYROLL-STATE WITHHOL	coit	4,440.82		
VEN000920	Huntington National Bank	APP018413	6/2/2014	701008131	PAYROLL-EMPLOYER'S FIC	fica	26,276.44		
VEN000920	Huntington National Bank	APP018413	6/2/2014	701008132	PAYROLL-EMPLOYER'S ME	med	6,145.30		
VEN000920	Huntington National Bank	APP018413	6/2/2014	701008921	PAYROLL-FEDERAL WITHH	fed	50,748.94		
VEN000920	Huntington National Bank	APP018413	6/2/2014	701008922	PAYROLL-EMPLOYEE FICA	med	6,145.24		
VEN000920	Huntington National Bank	APP018413	6/2/2014	701008922	PAYROLL-EMPLOYEE FICA	fica	26,276.49		
VEN000948	IN Family and Social Services Administr	APP018572	6/3/2014	701008140	PAYROLL-SUPPORT WITHH	child support	2,222.42		
VEN000163	Aul Retirement	APP018573	6/3/2014	701008931	PAYROLL-401A MATCHING-	retirement	10,237.31		
VEN000163	Aul Retirement	APP018574	6/3/2014	701008931	PAYROLL-401A MATCHING-	loan	3,939.72		
VEN001174	Kerri Gagnon	APP018577	6/3/2014	701008931	PAYROLL-401A MATCHING-	reimb ovrrpy	84.68		
VEN000703	Fire Fighters Credit Union	APP018582	6/3/2014	701008141	PAYROLL-UNION DUES	union dues	1,837.19		

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Fund No. Fund Name									
701 Payroll									
Clerk Treasurer									
VEN001864	Supporting heroes	APP018583	6/3/2014	701008991	PAYROLL-MISC	contrib	130.12		
VEN000833	Hamilton Co Superior Court	APP018584	6/3/2014	701008142	PAYROLL-GARNISHMENT	garnishment	140.06		
VEN001583	Police and Firemen's Insurance	APP018585	6/3/2014	701008930	PAYROLL-INS. DED	ins	69.12		
Subtotal for Clerk Treasurer							784,975.01		
Subtotal for Fund 701 Payroll							784,975.01		
Fund No. Fund Name									
900 Stormwater									
Stormwater									
VEN000517	Daystar Directional Drilling	APP018050	5/13/2014	900016475	STORM-INFRASTRUCTURE	p line repair- 15199 New Hav	550.00		
VEN000517	Daystar Directional Drilling	APP018051	5/13/2014	900016475	STORM-INFRASTRUCTURE	Repair sump 15264 Declarati	6,630.00		
VEN001537	Payroll	APP018170	5/20/2014	900016111	STORM-SALARY	SAL	1,863.77	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	900016120	STORM-FICA AND MEDICAR	FICA	95.38	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	900016120	STORM-FICA AND MEDICAR	MED	22.31	100050814	5/21/2014
VEN001537	Payroll	APP018170	5/20/2014	900016121	STORM-PERF	PERF	207.68	100050814	5/21/2014
VEN001537	Payroll	APP018171	5/20/2014	900016111	STORM-SALARY	SAL	1,863.77		
VEN001537	Payroll	APP018171	5/20/2014	900016120	STORM-FICA AND MEDICAR	FICA	95.38		
VEN001537	Payroll	APP018171	5/20/2014	900016120	STORM-FICA AND MEDICAR	MED	22.31		
VEN001537	Payroll	APP018171	5/20/2014	900016121	STORM-PERF	PERF	207.68		
VEN000517	Daystar Directional Drilling	APP018250	5/28/2014	900016434	STORM-STORMWATER MIS	Sub surface drain repair for 1	7,350.00		
VEN000608	Eco-Infrastrcture Solution	APP018259	5/28/2014	900016434	STORM-STORMWATER MIS	Sinkhole Country side	920.00		
VEN000608	Eco-Infrastrcture Solution	APP018262	5/28/2014	900016434	STORM-STORMWATER MIS	Sink hole Oakridge & GHP	955.00		
VEN000608	Eco-Infrastrcture Solution	APP018264	5/28/2014	900016434	STORM-STORMWATER MIS	Sump Pump Line	420.00		
VEN002193	Christopher Burke	APP018266	5/28/2014	900016309	STORM-CONSULTING FEES	Tech Assistance	2,265.41		
VEN002424	IUPPS	APP018267	5/28/2014	900016309	STORM-CONSULTING FEES	Storm Sewer tickets	1,103.40		
VEN001056	J and S Contractors	APP018293	5/29/2014	900016475	STORM-INFRASTRUCTURE	Install new storm structure on	2,000.00		
VEN001056	J and S Contractors	APP018293	5/29/2014	900016475	STORM-INFRASTRUCTURE	Remove and repore curb	537.00		
VEN002155	Worrell	APP018294	5/29/2014	900016223	STORM-OFFICE SUPPLIES	Trash/Storm invoices postage	15.00		
VEN000517	Daystar Directional Drilling	APP018295	5/29/2014	900016434	STORM-STORMWATER MIS	Water Barn- repair water leak	1,900.00		
VEN000517	Daystar Directional Drilling	APP018295	5/29/2014	900016434	STORM-STORMWATER MIS	Per Jeremy, scope of work ch	340.00		
VEN001056	J and S Contractors	APP018391	6/2/2014	900016434	STORM-STORMWATER MIS	Culvert repair on south 171st	1,500.00		
VEN000517	Daystar Directional Drilling	APP018401	6/2/2014	900016475	STORM-INFRASTRUCTURE	Repair sump line 15515 Alam	550.00		

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Fund No. Fund Name									
900	Stormwater								
	Stormwater								
VEN001537	Payroll	APP018414	6/2/2014	900016111	STORM-SALARY	sal	1,863.77		
VEN001537	Payroll	APP018414	6/2/2014	900016120	STORM-FICA AND MEDICAR	fica	95.38		
VEN001537	Payroll	APP018414	6/2/2014	900016120	STORM-FICA AND MEDICAR	med	22.31		
VEN001537	Payroll	APP018414	6/2/2014	900016121	STORM-PERF	perf	207.68		
VEN002437	Des Neiges Buchana	APP018496	6/2/2014	900016370	STORMWATER-REFUND		5.68		
VEN002438	Steve Mazelin	APP018497	6/2/2014	900016370	STORMWATER-REFUND		5.59		
VEN002439	Mary Silva	APP018498	6/2/2014	900016370	STORMWATER-REFUND		5.59		
VEN002440	S D Benson	APP018499	6/2/2014	900016370	STORMWATER-REFUND		5.50		
VEN002441	Simon Smith	APP018500	6/2/2014	900016370	STORMWATER-REFUND		5.50		
VEN002442	Nazel and Charles Redwin	APP018501	6/2/2014	900016370	STORMWATER-REFUND		5.50		
VEN002443	John Snyder	APP018502	6/2/2014	900016370	STORMWATER-REFUND		5.50		
VEN002444	Sean Fluck	APP018503	6/2/2014	900016370	STORMWATER-REFUND		5.15		
VEN002445	Sarah West	APP018504	6/2/2014	900016370	STORMWATER-REFUND		4.88		
VEN002446	Dorothy Chase	APP018505	6/2/2014	900016370	STORMWATER-REFUND		4.88		
VEN002447	Joe OBrien	APP018506	6/2/2014	900016370	STORMWATER-REFUND		4.79		
VEN002448	James Wright	APP018507	6/2/2014	900016370	STORMWATER-REFUND		4.79		
VEN002449	Mike Ryan	APP018508	6/2/2014	900016370	STORMWATER-REFUND		4.79		
VEN002450	Laura McConaha	APP018509	6/2/2014	900016370	STORMWATER-REFUND		4.52		
VEN002451	Mark Duncan	APP018510	6/2/2014	900016370	STORMWATER-REFUND		4.52		
VEN002452	Stephanie Evans	APP018511	6/2/2014	900016370	STORMWATER-REFUND		5.54		
VEN002453	Ronald Stroke	APP018512	6/2/2014	900016370	STORMWATER-REFUND		4.35		
VEN002454	Brett Banfield	APP018513	6/2/2014	900016370	STORMWATER-REFUND		4.35		
VEN002455	Idamae Adams	APP018514	6/2/2014	900016370	STORMWATER-REFUND		4.26		
VEN002456	J Thomas	APP018515	6/2/2014	900016370	STORMWATER-REFUND		4.26		
VEN002457	Kevin Teder	APP018516	6/2/2014	900016370	STORMWATER-REFUND		4.26		
VEN002458	Tish Deleon	APP018517	6/2/2014	900016370	STORMWATER-REFUND		4.26		
VEN002459	Sandy Reilly	APP018518	6/2/2014	900016370	STORMWATER-REFUND		4.17		
VEN002460	Quinn Shepherd	APP018519	6/2/2014	900016370	STORMWATER-REFUND		45.48		
VEN002461	Tiffany and Mark Hernandez	APP018520	6/2/2014	900016370	STORMWATER-REFUND		3.90		
VEN002462	Ryan Workman	APP018521	6/2/2014	900016370	STORMWATER-REFUND		3.81		
VEN002463	Robert Masterson	APP018522	6/2/2014	900016370	STORMWATER-REFUND		3.64		
VEN002464	Kari Yorkes	APP018523	6/2/2014	900016370	STORMWATER-REFUND		3.02		

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Fund No. Fund Name									
900	Stormwater								
	Stormwater								
VEN002465	Jenna Kooli	APP018524	6/2/2014	900016370	STORMWATER-REFUND		3.02		
VEN002466	Chris Reed	APP018525	6/2/2014	900016370	STORMWATER-REFUND		2.93		
VEN002467	Jon Neudigate	APP018526	6/2/2014	900016370	STORMWATER-REFUND		4.97		
VEN002468	Jeff Inman	APP018527	6/2/2014	900016370	STORMWATER-REFUND		2.40		
VEN002469	Greg Stiner	APP018528	6/2/2014	900016370	STORMWATER-REFUND		4.35		
VEN002470	Dana King	APP018529	6/2/2014	900016370	STORMWATER-REFUND		4.26		
VEN002472	Rebecca Pietsch	APP018530	6/2/2014	900016370	STORMWATER-REFUND		3.02		
VEN002473	Richard Thornberry	APP018531	6/2/2014	900016370	STORMWATER-REFUND		4.26		
VEN002474	Edward Thatcher	APP018532	6/2/2014	900016370	STORMWATER-REFUND		3.55		
VEN002475	Leonard Hunter	APP018533	6/2/2014	900016370	STORMWATER-REFUND		2.93		
VEN002476	Greg Sabens	APP018534	6/2/2014	900016370	STORMWATER-REFUND		2.66		
VEN002477	Anthony Durso	APP018535	6/2/2014	900016370	STORMWATER-REFUND		3.19		
VEN002478	Christie Waldrip	APP018536	6/2/2014	900016370	STORMWATER-REFUND		2.93		
VEN002479	Mary Anne Miller	APP018537	6/2/2014	900016370	STORMWATER-REFUND		3.55		
VEN002480	Karen Williams	APP018538	6/2/2014	900016370	STORMWATER-REFUND		1.06		
VEN002481	Luis Carballo	APP018539	6/2/2014	900016370	STORMWATER-REFUND		2.66		
VEN002482	Paul Pizzurro	APP018540	6/2/2014	900016370	STORMWATER-REFUND		2.57		
VEN002483	Patricha Williams	APP018541	6/2/2014	900016370	STORMWATER-REFUND		3.05		
VEN002484	William Whitaker	APP018542	6/2/2014	900016370	STORMWATER-REFUND		3.55		
VEN002485	Amanda MacAllister	APP018543	6/2/2014	900016370	STORMWATER-REFUND		2.66		
VEN002486	Aaron and Melissa Rauguth	APP018544	6/2/2014	900016370	STORMWATER-REFUND		5.00		
VEN002487	Melissa Ward	APP018545	6/2/2014	900016370	STORMWATER-REFUND		11.00		
VEN002488	Trevor Miller	APP018546	6/2/2014	900016370	STORMWATER-REFUND		5.27		
VEN002489	James Kinder	APP018547	6/2/2014	900016370	STORMWATER-REFUND		2.93		
VEN002490	Todd Dailey	APP018548	6/2/2014	900016370	STORMWATER-REFUND		2.40		
VEN002491	Stephanie Boughton	APP018549	6/2/2014	900016370	STORMWATER-REFUND		1.42		
VEN002492	Sue Lerchen	APP018550	6/2/2014	900016370	STORMWATER-REFUND		2.31		
VEN002493	Sarah Lash	APP018551	6/2/2014	900016370	STORMWATER-REFUND		4.03		
VEN002494	Mark Nigh	APP018552	6/2/2014	900016370	STORMWATER-REFUND		5.00		
VEN002495	Westfield Car Wash	APP018553	6/2/2014	900016370	STORMWATER-REFUND		5.00		
VEN002496	Tyler and Brooke Davis	APP018554	6/2/2014	900016370	STORMWATER-REFUND		0.80		
VEN002497	Gordan Parhar	APP018555	6/2/2014	900016370	STORMWATER-REFUND		2.84		

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Fund No. Fund Name									
900	Stormwater								
Stormwater									
VEN002498	Sherryl Yost	APP018556	6/2/2014	900016370	STORMWATER-REFUND		25.97		
VEN002471	Curtis Wiltse	APP018557	6/2/2014	900016370	STORMWATER-REFUND		14.42		
Subtotal for Stormwater							33,927.67		
Subtotal for Fund 900 Stormwater							33,927.67		
Fund No. Fund Name									
950	Trash								
Trash									
VEN001637	Ray's Trash Service	APP018485	5/28/2014	950017349	TRASH-ADM SERVICES	march april trash service	257,230.28		
VEN002437	Des Neiges Buchana	APP018496	6/2/2014	950017349	TRASH-ADM SERVICES		1.11		
VEN002437	Des Neiges Buchana	APP018496	6/2/2014	950017370	TRASH-REFUND		22.46		
VEN002438	Steve Mazelin	APP018497	6/2/2014	950017349	TRASH-ADM SERVICES		1.10		
VEN002438	Steve Mazelin	APP018497	6/2/2014	950017370	TRASH-REFUND		22.11		
VEN002439	Mary Silva	APP018498	6/2/2014	950017349	TRASH-ADM SERVICES		1.10		
VEN002439	Mary Silva	APP018498	6/2/2014	950017370	TRASH-REFUND		22.11		
VEN002440	S D Benson	APP018499	6/2/2014	950017349	TRASH-ADM SERVICES		1.08		
VEN002440	S D Benson	APP018499	6/2/2014	950017370	TRASH-REFUND		21.76		
VEN002441	Simon Smith	APP018500	6/2/2014	950017349	TRASH-ADM SERVICES		1.08		
VEN002441	Simon Smith	APP018500	6/2/2014	950017370	TRASH-REFUND		21.76		
VEN002442	Nazel and Charles Redwin	APP018501	6/2/2014	950017349	TRASH-ADM SERVICES		1.08		
VEN002442	Nazel and Charles Redwin	APP018501	6/2/2014	950017370	TRASH-REFUND		21.76		
VEN002443	John Snyder	APP018502	6/2/2014	950017349	TRASH-ADM SERVICES		1.08		
VEN002443	John Snyder	APP018502	6/2/2014	950017370	TRASH-REFUND		21.76		
VEN002444	Sean Fluck	APP018503	6/2/2014	950017349	TRASH-ADM SERVICES		1.00		
VEN002444	Sean Fluck	APP018503	6/2/2014	950017370	TRASH-REFUND		20.36		
VEN002445	Sarah West	APP018504	6/2/2014	950017349	TRASH-ADM SERVICES		0.96		
VEN002445	Sarah West	APP018504	6/2/2014	950017370	TRASH-REFUND		19.30		
VEN002446	Dorothy Chase	APP018505	6/2/2014	950017349	TRASH-ADM SERVICES		0.96		
VEN002446	Dorothy Chase	APP018505	6/2/2014	950017370	TRASH-REFUND		19.30		
VEN002447	Joe OBrien	APP018506	6/2/2014	950017349	TRASH-ADM SERVICES		0.94		
VEN002447	Joe OBrien	APP018506	6/2/2014	950017370	TRASH-REFUND		18.95		
VEN002448	James Wright	APP018507	6/2/2014	950017349	TRASH-ADM SERVICES		0.94		

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Fund No. Fund Name									
950 Trash									
Trash									
VEN002448	James Wright	APP018507	6/2/2014	950017370	TRASH-REFUND		18.95		
VEN002449	Mike Ryan	APP018508	6/2/2014	950017349	TRASH-ADM SERVICES		0.94		
VEN002449	Mike Ryan	APP018508	6/2/2014	950017370	TRASH-REFUND		18.95		
VEN002450	Laura McConaha	APP018509	6/2/2014	950017349	TRASH-ADM SERVICES		0.89		
VEN002450	Laura McConaha	APP018509	6/2/2014	950017370	TRASH-REFUND		17.90		
VEN002451	Mark Duncan	APP018510	6/2/2014	950017349	TRASH-ADM SERVICES		0.89		
VEN002451	Mark Duncan	APP018510	6/2/2014	950017370	TRASH-REFUND		17.90		
VEN002452	Stephanie Evans	APP018511	6/2/2014	950017349	TRASH-ADM SERVICES		1.09		
VEN002452	Stephanie Evans	APP018511	6/2/2014	950017370	TRASH-REFUND		21.90		
VEN002453	Ronald Stroke	APP018512	6/2/2014	950017349	TRASH-ADM SERVICES		1.08		
VEN002453	Ronald Stroke	APP018512	6/2/2014	950017370	TRASH-REFUND		17.20		
VEN002454	Brett Banfield	APP018513	6/2/2014	950017349	TRASH-ADM SERVICES		0.85		
VEN002454	Brett Banfield	APP018513	6/2/2014	950017370	TRASH-REFUND		17.20		
VEN002455	Idamae Adams	APP018514	6/2/2014	950017349	TRASH-ADM SERVICES		0.83		
VEN002455	Idamae Adams	APP018514	6/2/2014	950017370	TRASH-REFUND		16.85		
VEN002456	J Thomas	APP018515	6/2/2014	950017349	TRASH-ADM SERVICES		0.83		
VEN002456	J Thomas	APP018515	6/2/2014	950017370	TRASH-REFUND		16.85		
VEN002457	Kevin Teder	APP018516	6/2/2014	950017349	TRASH-ADM SERVICES		0.83		
VEN002457	Kevin Teder	APP018516	6/2/2014	950017370	TRASH-REFUND		16.85		
VEN002458	Tish Deleon	APP018517	6/2/2014	950017349	TRASH-ADM SERVICES		0.83		
VEN002458	Tish Deleon	APP018517	6/2/2014	950017370	TRASH-REFUND		16.85		
VEN002459	Sandy Reilly	APP018518	6/2/2014	950017349	TRASH-ADM SERVICES		0.81		
VEN002459	Sandy Reilly	APP018518	6/2/2014	950017370	TRASH-REFUND		16.50		
VEN002460	Quinn Shepherd	APP018519	6/2/2014	950017349	TRASH-ADM SERVICES		9.51		
VEN002460	Quinn Shepherd	APP018519	6/2/2014	950017370	TRASH-REFUND		183.84		
VEN002461	Tiffany and Mark Hernandez	APP018520	6/2/2014	950017349	TRASH-ADM SERVICES		0.77		
VEN002461	Tiffany and Mark Hernandez	APP018520	6/2/2014	950017370	TRASH-REFUND		15.44		
VEN002462	Ryan Workman	APP018521	6/2/2014	950017349	TRASH-ADM SERVICES		0.76		
VEN002462	Ryan Workman	APP018521	6/2/2014	950017370	TRASH-REFUND		15.09		
VEN002463	Robert Masterson	APP018522	6/2/2014	950017349	TRASH-ADM SERVICES		0.71		
VEN002463	Robert Masterson	APP018522	6/2/2014	950017370	TRASH-REFUND		14.39		
VEN002464	Kari Yorkes	APP018523	6/2/2014	950017349	TRASH-ADM SERVICES		0.59		

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Fund No.	Fund Name								
950	Trash								
	Trash								
VEN002464	Kari Yorkes	APP018523	6/2/2014	950017370	TRASH-REFUND		11.93		
VEN002465	Jenna Kooi	APP018524	6/2/2014	950017349	TRASH-ADM SERVICES		0.59		
VEN002465	Jenna Kooi	APP018524	6/2/2014	950017370	TRASH-REFUND		11.93		
VEN002466	Chris Reed	APP018525	6/2/2014	950017349	TRASH-ADM SERVICES		0.57		
VEN002466	Chris Reed	APP018525	6/2/2014	950017370	TRASH-REFUND		11.58		
VEN002467	Jon Neudigate	APP018526	6/2/2014	950017349	TRASH-ADM SERVICES		0.98		
VEN002467	Jon Neudigate	APP018526	6/2/2014	950017370	TRASH-REFUND		19.65		
VEN002468	Jeff Inman	APP018527	6/2/2014	950017349	TRASH-ADM SERVICES		0.47		
VEN002468	Jeff Inman	APP018527	6/2/2014	950017370	TRASH-REFUND		9.48		
VEN002469	Greg Stiner	APP018528	6/2/2014	950017349	TRASH-ADM SERVICES		0.85		
VEN002469	Greg Stiner	APP018528	6/2/2014	950017370	TRASH-REFUND		17.20		
VEN002470	Dana King	APP018529	6/2/2014	950017349	TRASH-ADM SERVICES		0.83		
VEN002470	Dana King	APP018529	6/2/2014	950017370	TRASH-REFUND		16.85		
VEN002472	Rebecca Pietsch	APP018530	6/2/2014	950017349	TRASH-ADM SERVICES		0.59		
VEN002472	Rebecca Pietsch	APP018530	6/2/2014	950017370	TRASH-REFUND		11.93		
VEN002473	Richard Thornberry	APP018531	6/2/2014	950017349	TRASH-ADM SERVICES		0.83		
VEN002473	Richard Thornberry	APP018531	6/2/2014	950017370	TRASH-REFUND		16.85		
VEN002474	Edward Thatcher	APP018532	6/2/2014	950017349	TRASH-ADM SERVICES		0.69		
VEN002474	Edward Thatcher	APP018532	6/2/2014	950017370	TRASH-REFUND		14.04		
VEN002475	Leonard Hunter	APP018533	6/2/2014	950017349	TRASH-ADM SERVICES		0.57		
VEN002475	Leonard Hunter	APP018533	6/2/2014	950017370	TRASH-REFUND		11.58		
VEN002476	Greg Sabens	APP018534	6/2/2014	950017349	TRASH-ADM SERVICES		0.52		
VEN002476	Greg Sabens	APP018534	6/2/2014	950017370	TRASH-REFUND		10.53		
VEN002477	Anthony Durso	APP018535	6/2/2014	950017349	TRASH-ADM SERVICES		0.64		
VEN002477	Anthony Durso	APP018535	6/2/2014	950017370	TRASH-REFUND		12.63		
VEN002478	Christie Waldrip	APP018536	6/2/2014	950017349	TRASH-ADM SERVICES		0.57		
VEN002478	Christie Waldrip	APP018536	6/2/2014	950017370	TRASH-REFUND		11.58		
VEN002479	Mary Anne Miller	APP018537	6/2/2014	950017349	TRASH-ADM SERVICES		0.69		
VEN002479	Mary Anne Miller	APP018537	6/2/2014	950017370	TRASH-REFUND		14.04		
VEN002480	Karen Williams	APP018538	6/2/2014	950017349	TRASH-ADM SERVICES		0.22		
VEN002480	Karen Williams	APP018538	6/2/2014	950017370	TRASH-REFUND		4.21		
VEN002481	Luis Carballo	APP018539	6/2/2014	950017349	TRASH-ADM SERVICES		0.51		

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Fund No. Fund Name									
950	Trash								
	Trash								
VEN002481	Luis Carballo	APP018539	6/2/2014	950017370	TRASH-REFUND		10.53		
VEN002482	Paul Pizzurro	APP018540	6/2/2014	950017349	TRASH-ADM SERVICES		0.51		
VEN002482	Paul Pizzurro	APP018540	6/2/2014	950017370	TRASH-REFUND		10.18		
VEN002483	Patricha Williams	APP018541	6/2/2014	950017349	TRASH-ADM SERVICES		0.61		
VEN002483	Patricha Williams	APP018541	6/2/2014	950017370	TRASH-REFUND		12.07		
VEN002484	William Whitaker	APP018542	6/2/2014	950017349	TRASH-ADM SERVICES		0.69		
VEN002484	William Whitaker	APP018542	6/2/2014	950017370	TRASH-REFUND		14.04		
VEN002485	Amanda MacAllister	APP018543	6/2/2014	950017349	TRASH-ADM SERVICES		0.52		
VEN002485	Amanda MacAllister	APP018543	6/2/2014	950017370	TRASH-REFUND		10.53		
VEN002486	Aaron and Melissa Rauguth	APP018544	6/2/2014	950017349	TRASH-ADM SERVICES		0.99		
VEN002486	Aaron and Melissa Rauguth	APP018544	6/2/2014	950017370	TRASH-REFUND		19.79		
VEN002487	Melissa Ward	APP018545	6/2/2014	950017349	TRASH-ADM SERVICES		2.16		
VEN002487	Melissa Ward	APP018545	6/2/2014	950017370	TRASH-REFUND		43.52		
VEN002488	Trevor Miller	APP018546	6/2/2014	950017349	TRASH-ADM SERVICES		1.04		
VEN002488	Trevor Miller	APP018546	6/2/2014	950017370	TRASH-REFUND		20.85		
VEN002489	James Kinder	APP018547	6/2/2014	950017349	TRASH-ADM SERVICES		0.57		
VEN002489	James Kinder	APP018547	6/2/2014	950017370	TRASH-REFUND		11.58		
VEN002490	Todd Dailey	APP018548	6/2/2014	950017349	TRASH-ADM SERVICES		0.46		
VEN002490	Todd Dailey	APP018548	6/2/2014	950017370	TRASH-REFUND		9.48		
VEN002491	Stephanie Boughton	APP018549	6/2/2014	950017349	TRASH-ADM SERVICES		0.28		
VEN002491	Stephanie Boughton	APP018549	6/2/2014	950017370	TRASH-REFUND		5.62		
VEN002492	Sue Lerchen	APP018550	6/2/2014	950017349	TRASH-ADM SERVICES		0.44		
VEN002492	Sue Lerchen	APP018550	6/2/2014	950017370	TRASH-REFUND		9.13		
VEN002493	Sarah Lash	APP018551	6/2/2014	950017349	TRASH-ADM SERVICES		0.79		
VEN002493	Sarah Lash	APP018551	6/2/2014	950017370	TRASH-REFUND		15.93		
VEN002496	Tyler and Brooke Davis	APP018554	6/2/2014	950017349	TRASH-ADM SERVICES		0.15		
VEN002496	Tyler and Brooke Davis	APP018554	6/2/2014	950017370	TRASH-REFUND		3.16		
VEN002497	Gordan Parhar	APP018555	6/2/2014	950017349	TRASH-ADM SERVICES		0.56		
VEN002497	Gordan Parhar	APP018555	6/2/2014	950017370	TRASH-REFUND		11.23		
VEN002498	Sherryl Yost	APP018556	6/2/2014	950017349	TRASH-ADM SERVICES		5.09		
VEN002498	Sherryl Yost	APP018556	6/2/2014	950017370	TRASH-REFUND		102.80		

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Fund No. Fund Name									
950	Trash								
	Trash								
VEN002471	Curtis Wiltse	APP018557	6/2/2014	950017349	TRASH-ADM SERVICES		3.00		
VEN002471	Curtis Wiltse	APP018557	6/2/2014	950017370	TRASH-REFUND		58.19		
	Subtotal for Trash							258,541.83	
	Subtotal for Fund 950 Trash							258,541.83	
	Posted Invoices Total							7,831,240.77	

Credit Memos

Vendor No.	Vendor Name	Cr. Memo No.	Date	GL Acct.	GL Account Name	Description	Amount
Fund No. Fund Name							
Subtotal by Fund							
101	General						
	Administration						
VEN002352	Videoindiana Inc	ACP000265	4/21/2014	101001347	Adm-Promotions	Adm-Promotions	12,500.00
	Subtotal for						12,500.00
	Police						
VEN000379	Chemsearch	ACP000226	2/19/2014	101002229	Police-Uniforms	Badge Repairs-Kang	41.00
VEN000260	Boldens Cleaning and Restoration	ACP000260	4/7/2014	101002229	Police-Uniforms	Police-Uniforms	414.50
VEN001225	Law Enforcement Training Board	ACP000266	4/7/2014	101002334	Police-	Training Class-Jordan,Lowes-	525.00
	Subtotal for						980.50
	Clerk Treasurer						
VEN001537	Payroll	ACP000243	3/12/2014	101008331	CT-Consulting	CT-Consulting	811.60
	Subtotal for						811.60
	City Council						
VEN001337	Menards	ACP000213	1/23/2014	101010347	City Council-Promotions	City Council-Promotions	719.10
	Subtotal for						719.10

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Credit Memos

Vendor No.	Vendor Name	Cr. Memo No.	Date	GL Acct.	GL Account Name	Description	Amount
Fund No.	Fund Name						
101	General						
	Public Works						
VEN000562	DLZ	ACP000282	6/3/2014	101001474	Adm-Construct Util Sale	Adm-Constru Util Sale	22,075.70
VEN000562	DLZ	ACP000283	6/3/2014	101001474	Adm-Construct Util Sale	Adm-Constru Util Sale	12,809.22
VEN002508	WW Real Estate LLC	ACP000284	6/2/2014	101001474	Adm-Construct Util Sale	Adm-Constru Util Sale	20,000.00
	Subtotal for						54,884.92
	Subtotal by Fund 101 General						69,896.12
Fund No.	Fund Name						
201	Motor Vehicle Highway (MVH)						
	Public Works						
VEN000891	Hittle Landscaping	ACP000227	2/13/2014	201013349	MVH-Services	MVH-Services	8,054.00
VEN001173	Kenworth of Indianapolis	ACP000246	2/14/2014	201013472	MVH-Equip	MVH-Equip	10,048.18
VEN002234	Land Collective LLC	ACP000258	4/1/2014	201013349	MVH-Services	MVH-Services	2,550.41
VEN000488	Custom Truck and Auto	ACP000261	3/27/2014	201013360	MVH-Vehicle Repair	MVH-Vehicle Repair	188.29
VEN000488	Custom Truck and Auto	ACP000261	3/27/2014	201013360	MVH-Vehicle Repair	MVH-Vehicle Repair	310.75
	Subtotal for						21,151.63
	Subtotal by Fund 201 Motor Vehicle Highway (MVH)						21,151.63
Fund No.	Fund Name						
203	Fire Operating						
	Fire						
VEN000840	Hamilton County Co-op	ACP000208	1/30/2014	203012226	Fire-Vehicle Gas/Supplies	Fire-Vehicle Gas/Supplies	3,921.64
VEN001337	Menards	ACP000209	1/22/2014	203012224	Fire-Operating Supplies	Fire-Operating Supplies	68.37
VEN002148	Witmer Public Safety Group	ACP000214	1/22/2014	203012229	Fire-Uniforms	Fire-Uniforms	686.00
VEN000260	Boldens Cleaning and Restoration	ACP000259	4/17/2014	203012229	Fire-Uniforms	Dry Cleaning - Uniform shirts	106.55
	Subtotal for						4,782.56
	Subtotal by Fund 203 Fire Operating						4,782.56
Fund No.	Fund Name						
204	Park Impact						
	Parks						
VEN002234	Land Collective LLC	ACP000258	4/1/2014	204005349	Park Impact-Services	Park Impact-Services	3,825.60
	Subtotal for						3,825.60
	Subtotal by Fund 204 Park Impact						3,825.60

Credit Memos

Vendor No.	Vendor Name	Cr. Memo No.	Date	GL Acct.	GL Account Name	Description	Amount
Fund No.	Fund Name						
268	Emergency Medical and Equip						
	Fire						
VEN002287	Advantage Health Solutions	ACP000268	4/28/2014	268012349	EMS-Services	EMS-Services	401.67
	Subtotal for						401.67
	Subtotal by Fund 268 Emergency Medical and Equip						401.67
Fund No.	Fund Name						
301	Eastside TIF						
	RDC						
VEN001075	James Wood/Sandra Wood	ACP000274	5/5/2014	301018400	Eastside TIF Land	Eastside TIF Land Purchase	5,637.50
VEN000186	Bank Of New York Mellon	ARP000046	1/10/2014	301018349	Eastside TIF Services	Eastside TIF Services	120,000.00
VEN000186	Bank Of New York Mellon	ARP000046	1/10/2014	301018349	Eastside TIF Services	Eastside TIF Services	185,517.50
	Subtotal for						311,155.00
	Subtotal by Fund 301 Eastside TIF						311,155.00
Fund No.	Fund Name						
312	GO Bond #3 2005 Debt Service						
	Administration						
VEN002032	US Bank	ACP000180	1/13/2014	312008280	Go Bond #3 Debt Service	Go Bond #3 Debt Service	32,886.25
	Subtotal for						32,886.25
	Subtotal by Fund 312 GO Bond #3 2005 Debt Service						32,886.25
Fund No.	Fund Name						
313	2012 and 2013 COIT BAN Construction						
	Grand Park						
VEN001716	Runyon Equipment Rental	ACP000276	4/24/2014	313015474	2012-13 COIT BAN-	2012-13 COIT BAN-	2,144.35
VEN001716	Runyon Equipment Rental	ACP000277	4/24/2014	313015474	2012-13 COIT BAN-	2012-13 COIT BAN-	4,175.00
	Subtotal for						6,319.35
	Subtotal by Fund 313 2012 and 2013 COIT BAN Construction						6,319.35
Fund No.	Fund Name						
701	Payroll						
	Clerk Treasurer						
VEN000948	IN Family and Social Services	ACP000262	4/22/2014	701008141	Payroll-Union Dues	Payroll-Union Dues	2,560.42
	Subtotal for						2,560.42
	Subtotal by Fund 701 Payroll						2,560.42

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Fund No. Fund Name									
101 General									
Administration									
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101001223	Adm-Office Supplies	Adm-Office Supplies	32.44		
VEN001357	MICHAELS STORES INC	GJPCARD00083	5/19/2014	101001347	Adm-Promotions	FRAME FOR JOHN DIPPEL	23.99		
VEN001357	MICHAELS STORES INC	GJPCARD00083	5/19/2014	101001347	Adm-Promotions	FRAME FOR COVER OF WE	145.45		
VEN002018	UNITED AIRLINES, INC.	GJPCARD00083	5/19/2014	101001334	Adm-Travel/Training/Seminar	TODD'S FLIGHT TICKET TO	521.00		
VEN002409	N2 PUBLISHING	GJPCARD00083	5/19/2014	101001224	Adm-Operating Supplies	ECONOMIC DEVELOPMENT	199.00		
VEN001197	Kroger	GJPCARD00083	5/19/2014	101001347	Adm-Promotions	Adm-Promotions	8.00		
VEN001815	Speedway Superamerica	GJPCARD00084	5/19/2014	101001334	Adm-Travel/Training/Seminar	FUEL	12.24		
VEN000708	FIRST WATCH	GJPCARD00084	5/19/2014	101001347	Adm-Promotions	Adm-Promotions	24.14		
VEN001197	Kroger	GJPCARD00084	5/19/2014	101001347	Adm-Promotions	STRATEGIC PRIORITY INPU	27.58		
VEN001824	STANDARD PARKING	GJPCARD00084	5/19/2014	101001334	Adm-Travel/Training/Seminar	Adm-Travel/Training/Seminar	14.00		
VEN001331	MCINDY VENTURES LLC	GJPCARD00084	5/19/2014	101001347	Adm-Promotions	INDOOR DESIGN MEETING	41.04		
VEN001008	Indy Pro Audio Production Service	GJPCARD00084	5/19/2014	101001224	Adm-Operating Supplies	DEPOSIT FOR STAGE AND	4,675.00		
VEN000365	Chapman Electric Supply	GJPCARD00085	5/19/2014	101001343	Adm-Building	EXIT LIGHTS	7.35		
VEN001337	Menards	GJPCARD00085	5/19/2014	101001343	Adm-Building	SPLIT - BROOKSVILLE 2H B	39.99		
VEN001820	SQUARE, INC.	GJPCARD00085	5/19/2014	101001347	Adm-Promotions	BUSINESS LUNCH	31.07		
VEN001826	Staples	GJPCARD00085	5/19/2014	101001223	Adm-Office Supplies	BOUGHT FOOD FOR THE B	143.18		
VEN001197	Kroger	GJPCARD00085	5/19/2014	101001224	Adm-Operating Supplies	REFRESHMENT SUPPLIES	206.27		
VEN002423	BLACK PLUM CAFE	GJPCARD00086	5/19/2014	101001347	Adm-Promotions	LUNCH DISCUSSING HOSPI	28.06		
VEN001892	TELEFLORA LLC	GJPCARD00086	5/19/2014	101001347	Adm-Promotions	FLOWERS FOR FUNERAL O	81.00		
VEN000478	Crown Trophy	GJPCARD00086	5/19/2014	101001347	Adm-Promotions	GRAND PARK FIRST PITCH	9.99		
VEN000686	FBI NATIONAL ACADEMY ASSO	GJPCARD00086	5/19/2014	101001223	Adm-Office Supplies	BATTERIES FOR MIC	8.01		
VEN002409	N2 PUBLISHING	GJPCARD00086	5/19/2014	101001347	Adm-Promotions	ADVERTISING IN MONTHLY	298.00		
VEN001008	Indy Pro Audio Production Service	GJPCARD00089	5/19/2014	101001347	Adm-Promotions	Adm-Promotions	4,675.00		
Subtotal for Administration							11,251.80		
Police									
VEN001685	Robert Dietrich Co	GJPCARD00083	5/19/2014	101002223	Police-Office Supplies	3 SD CARDS FOR BLACKFO	113.91		
VEN002411	SWANSEAFIRE	GJPCARD00083	5/19/2014	101002223	Police-Office Supplies	STICKERS-BANDS FOR OFF	14.98		
VEN001892	TELEFLORA LLC	GJPCARD00084	5/19/2014	101002347	Police-Promotions	ADMINISTRATIVE PROFESS	120.00		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 14 PC BUNGEE ASS	8.99		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 12"X12" NATURAL C	11.88		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 18"X18"X24" FOLDE	17.49		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 15GAL FLIP TOP CL	42.30		

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Fund No. Fund Name									
101 General									
Police									
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 3 X 1-1/2" PVC BUSH	6.68		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 9" X 9" BELL TRAP	19.98		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 1-1/2"X 5' SOLID PV	6.22		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	BALANCING ENTRY AMOUN	7.95		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 14 PC BUNGEE ASS	8.99		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 12"X12" NATURAL C	11.88		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 18"X18"X24" FOLDE	17.49		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 15GAL FLIP TOP CL	42.30		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 3 X 1-1/2" PVC BUSH	6.68		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 9" X 9" BELL TRAP	19.98		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 1-1/2"X 5' SOLID PV	6.22		
VEN001337	Menards	GJPCARD00084	5/19/2014	101002224	Police-Operating Supplies	SPLIT - 1-1/2"X 5' SOLID PV	-121.49		
VEN000946	IN BMV VEHICLE SER	GJPCARD00084	5/19/2014	101002350	Police-Subscriptions/Dues/Me	RENEWAL LICENSE FOR N	156.57		
VEN001882	Talent Auto Body Shop	GJPCARD00085	5/19/2014	101002360	Police-Vehicle Repair	VEHICLE REPAIRS-LOWES	855.17		
VEN002419	DOMC	GJPCARD00085	5/19/2014	101002224	Police-Operating Supplies	FLOWERS FOR FIREMAN-B	74.85		
VEN001337	Menards	GJPCARD00085	5/19/2014	101002472	Police-Equip	SPLIT - GAS GRILL W/SS H	179.00		
VEN001337	Menards	GJPCARD00085	5/19/2014	101002472	Police-Equip	SPLIT - DELUXE XLG GRILL	24.99		
VEN001337	Menards	GJPCARD00085	5/19/2014	101002472	Police-Equip	SPLIT - BBQ TOOL SET 3PC	9.88		
VEN001337	Menards	GJPCARD00085	5/19/2014	101002472	Police-Equip	SPLIT - LONG HANDLE BBQ	7.49		
VEN001337	Menards	GJPCARD00085	5/19/2014	101002472	Police-Equip	SPLIT - PROPANE LEVEL IN	12.97		
VEN001337	Menards	GJPCARD00085	5/19/2014	101002472	Police-Equip	SPLIT - GRAIN DEERSKIN L	13.77		
VEN000166	Auto Outfitters	GJPCARD00085	5/19/2014	101002360	Police-Vehicle Repair	WINDOW REPAIR-JEEP-TA	160.00		
VEN000365	Chapman Electric Supply	GJPCARD00085	5/19/2014	101002343	Police-Building Maintenance	BULBS	70.71		
VEN002421	5.11 TACTICAL	GJPCARD00086	5/19/2014	101002229	Police-Uniforms	PANTS FOR CHIEF-JORDA	455.77		
VEN001634	Ray Allen K-9 Equipment	GJPCARD00086	5/19/2014	101002355	Police-K-9 Maint	COLLAR-TOY-HARNESS FO	203.97		
VEN002031	US AIRWAYS GROUP INC	GJPCARD00086	5/19/2014	101002334	Police-Travel/Training/Semina	AIRLINE TICKETS FOR TRAI	230.00		
VEN001493	ORIGINAL PANCAKE H	GJPCARD00086	5/19/2014	101002347	Police-Promotions	BREAKFAST WITH CHIEF	31.96		
VEN001882	Talent Auto Body Shop	GJPCARD00086	5/19/2014	101002360	Police-Vehicle Repair	SNOW DAMAGE TO VEHICL	1,504.48		
VEN001882	Talent Auto Body Shop	GJPCARD00086	5/19/2014	101002360	Police-Vehicle Repair	VEHICLE SNOW DAMAGE R	1,482.05		
VEN000686	FBI NATIONAL ACADEMY ASSO	GJPCARD00086	5/19/2014	101002334	Police-Travel/Training/Semina	FBI ANNUAL TRAINING CON	450.00		
Subtotal for Police							6,286.06		

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Fund No. Fund Name									
101 General									
Economic and Community Development									
VEN001644	RECORDER CONV FEE	GJPCARD00083	5/19/2014	101003338	ECD-Legal	QUIT CLAIM SERVICE FEE	3.50		
VEN000847	Hamilton County Recorder	GJPCARD00083	5/19/2014	101003338	ECD-Legal	QUIT CLAIM	17.00		
VEN000653	ERIKA'S PLACE	GJPCARD00083	5/19/2014	101003347	ECD-Promotions	ECONOMIC DEVELOPMENT	28.91		
VEN001820	SQUARE, INC.	GJPCARD00083	5/19/2014	101003347	ECD-Promotions	GOALS MEETING	78.48		
VEN001197	Kroger	GJPCARD00083	5/19/2014	101003223	ECD-Office Supplies	GOALS MEETING	29.99		
VEN001421	NATIONAL BUSINESS INST.	GJPCARD00083	5/19/2014	101003334	ECD-Travel/Training/Seminar	NBI CONTINUING EDUCATI	339.00		
VEN001820	SQUARE, INC.	GJPCARD00084	5/19/2014	101003347	ECD-Promotions	ADMINISTRATIVE PROFESS	32.70		
VEN002416	TWIN LAKES BOLF CLUB	GJPCARD00084	5/19/2014	101003347	ECD-Promotions	ECONOMIC DEVELOPMENT	450.00		
VEN000087	Amazon.com	GJPCARD00084	5/19/2014	101003223	ECD-Office Supplies	SPLIT - SPECK PRODUCTS	19.98		
VEN000087	Amazon.com	GJPCARD00084	5/19/2014	101003223	ECD-Office Supplies	SPLIT - SPECK PRODUCTS	30.77		
VEN000087	Amazon.com	GJPCARD00084	5/19/2014	101003223	ECD-Office Supplies	BALANCING ENTRY AMOUN	12.08		
VEN001197	Kroger	GJPCARD00084	5/19/2014	101003347	ECD-Promotions	WATER/POP ECD CONFER	93.02		
VEN001820	SQUARE, INC.	GJPCARD00085	5/19/2014	101003347	ECD-Promotions	MEETING WITH CHAMBER	20.17		
VEN001331	MCINDY VENTURES LLC	GJPCARD00085	5/19/2014	101003347	ECD-Promotions	EMPLOYEE WELCOME/APP	68.35		
VEN001000	Indianapolis Star	GJPCARD00086	5/19/2014	101003338	ECD-Legal	PUBLIC NOTICES	29.01		
VEN001331	MCINDY VENTURES LLC	GJPCARD00086	5/19/2014	101003347	ECD-Promotions	IEDC MEETING AND WESTF	97.47		
VEN000678	Faegre Baker Daniels	GJPCARD00086	5/19/2014	101003349	ECD-Services	GRAND PARK CONTRACT	8,978.50		
Subtotal for Economic and Community Development							10,328.93		
ECD - Building									
VEN000657	Esler's Auto Repair	GJPCARD00084	5/19/2014	101004360	Bldg-Vehicle Repair	Bldg-Vehicle Repair	386.97		
VEN000657	Esler's Auto Repair	GJPCARD00084	5/19/2014	101004360	Bldg-Vehicle Repair	ESLER'S TRUCK 129 OIL/SE	40.00		
Subtotal for ECD - Building							426.97		
Parks									
VEN001331	MCINDY VENTURES LLC	GJPCARD00083	5/19/2014	101005347	Parks-Promotion	BUSINESS MEAL FOR 5 PE	40.73		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00083	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - 1IN ID BRAIDED PVC	18.32		
VEN002018	UNITED AIRLINES, INC.	GJPCARD00083	5/19/2014	101005334	Parks-Travel/Training/Semina	MELODY PLANE TICKET TO	521.00		
VEN002022	UNITED STATES POSTAL SERV	GJPCARD00083	5/19/2014	101005333	Parks-Postage	SPLIT - (FOREVER) STAR-S	9.80		
VEN002022	UNITED STATES POSTAL SERV	GJPCARD00083	5/19/2014	101005333	Parks-Postage	SPLIT - CUSHION MAILER 6"	1.19		
VEN002022	UNITED STATES POSTAL SERV	GJPCARD00083	5/19/2014	101005333	Parks-Postage	SPLIT - FIRST-CLASS MAIL	2.32		
VEN002022	UNITED STATES POSTAL SERV	GJPCARD00083	5/19/2014	101005333	Parks-Postage	SPLIT - ISSUE PVI: (17.43)	2.32		
VEN002022	UNITED STATES POSTAL SERV	GJPCARD00083	5/19/2014	101005333	Parks-Postage	BALANCING ENTRY AMOUN	-2.32		

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Fund No. Fund Name									
101 General									
Parks									
VEN002063	VISTAPRINT NETHERLANDS NV	GJPCARD00083	5/19/2014	101005347	Parks-Promotion	CHICK-FIL-A CONTEST MAT	65.99		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - SW 1/2IN-13 X 1-FT	5.88		
VEN002249	CHAD SIGNS AND INSTALL	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	24" X 35" POSTER PROGRA	140.96		
VEN002249	CHAD SIGNS AND INSTALL	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	EVENT PHOTOGRAPHY SIG	337.85		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - GE 90W PAR38 FL 2	35.96		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - LF - 1/2 BRS HEX NI	9.92		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - LF1/2FIPX20PVC FC	11.56		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00084	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - VALSPAR CLEAR EP	188.00		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - HM 1-CT 7/16-IN ZIN	3.00		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - HM 1-CT 1/2IN X 1-1/	5.85		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - HM 1-CT 1/2-IN 13 G	2.08		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - VALSPAR EXY GAR	149.12		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - VALSPAR EXY GAR	149.12		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - PROJECT SOURCE	11.92		
VEN000087	Amazon.com	GJPCARD00086	5/19/2014	101005347	Parks-Promotion	SPLIT - RUBIE'S COSTUME	199.99		
VEN001417	Napa Auto Parts	GJPCARD00086	5/19/2014	101005360	Parks-Vehicle Repair	WIPER BLADES FOR CHEV	42.44		
VEN002249	CHAD SIGNS AND INSTALL	GJPCARD00086	5/19/2014	101005347	Parks-Promotion	BIKE TO SCHOOL DAY ROA	100.00		
VEN002249	CHAD SIGNS AND INSTALL	GJPCARD00086	5/19/2014	101005347	Parks-Promotion	BICYCLE RODEO EVENT YA	224.75		
VEN002066	VOLGISTICS INC	GJPCARD00086	5/19/2014	101005350	Parks-Subscriptions/Dues/Me	MONTHLY PAYMENT FOR O	40.00		
VEN001815	Speedway Superamerica	GJPCARD00086	5/19/2014	101005334	Parks-Travel/Training/Semina	ICE FOR LUNCH MEETING	4.59		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - 15-OZ PRO SPRAY	15.81		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101005224	Parks-Operating Supplies	SPLIT - 15-OZ BLACK SEMI-	15.81		
VEN001815	Speedway Superamerica	GJPCARD00086	5/19/2014	101005334	Parks-Travel/Training/Semina	ICE FOR LUNCH MEETING	1.99		
VEN001197	Kroger	GJPCARD00086	5/19/2014	101005334	Parks-Travel/Training/Semina	ICE FOR LUNCH MEETING	4.59		
VEN002078	Wal-Mart Community	GJPCARD00086	5/19/2014	101005334	Parks-Travel/Training/Semina	DRINKS FOR LUNCH MEETI	32.68		
VEN001512	PANERA BREAD, LLC	GJPCARD00086	5/19/2014	101005334	Parks-Travel/Training/Semina	LUNCH FOR LAND COLLEC	190.93		
Subtotal for Parks							2,584.15		
Informatics									
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - C2G / CABLES TO G	32.90		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - CABLES UNLIMITED	46.14		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - USB 2.0 EXTENSION	16.14		
VEN001820	SQUARE, INC.	GJPCARD00083	5/19/2014	101007335	IT-Telephone	SPLIT - PUBLIC ANNOUNCE	99.99		

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Fund No. Fund Name									
101 General									
Informatics									
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	101007451	IT-Computer/Equip	SPLIT - APC BE550G BACK-	59.99		
VEN000087	Amazon.com	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - EFORCITY 538581 H	12.56		
VEN001892	TELEFLORA LLC	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	2.5" SAS SATA TRAY CADD	49.40		
VEN001892	TELEFLORA LLC	GJPCARD00084	5/19/2014	101007389	IT-Software Licensing	RETURN OF SSL CERT NO	-647.97		
VEN001892	TELEFLORA LLC	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	HUB	19.98		
VEN000657	Esler's Auto Repair	GJPCARD00084	5/19/2014	101007226	IT-Vehicle Gas	INFORMATICS TRAILBLAZE	219.58		
VEN002414	SEMAPHORE CORP	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	ADDRESS VERIFICATION S	105.50		
VEN000087	Amazon.com	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	2.5" SAS SATA TRAY CADD	49.40		
VEN000221	Best Buy	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - 6FT Y-AUDIO (6.45)	9.99		
VEN000221	Best Buy	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - 6FT HDMI TO DVI C	39.99		
VEN000221	Best Buy	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - PNY GT610 1GB PCI	44.99		
VEN000221	Best Buy	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - PNY GT610 2GB (38.	59.99		
VEN000221	Best Buy	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - 6FT HDMI HIGH SPE	19.99		
VEN000221	Best Buy	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	SPLIT - ROCKETFISH RF-G1	24.99		
VEN000050	Advanced Solutions Inc	GJPCARD00084	5/19/2014	101007451	IT-Computer/Equip	IT-Computer/Equip	69.99		
VEN001008	Indy Pro Audio Production Service	GJPCARD00084	5/19/2014	101007347	IT-Promotion	WESTFIELDWELCOME DO	30.71		
VEN000657	Esler's Auto Repair	GJPCARD00085	5/19/2014	101007360	IT-Vehicle Repair	OIL CHANGE	47.60		
VEN001337	Menards	GJPCARD00085	5/19/2014	101007451	IT-Computer/Equip	SEAGATE ST9600205SS SA	1,500.00		
VEN000087	Amazon.com	GJPCARD00085	5/19/2014	101007451	IT-Computer/Equip	C2G RAPIDRUN	78.75		
VEN000087	Amazon.com	GJPCARD00085	5/19/2014	101007451	IT-Computer/Equip	MICROSOFT SURFACE PR	1,278.00		
VEN000087	Amazon.com	GJPCARD00086	5/19/2014	101007451	IT-Computer/Equip	VICTSING CAR CHARGER A	26.97		
VEN002385	INCIPIO TECH	GJPCARD00086	5/19/2014	101007451	IT-Computer/Equip	WFD SURFACE ESO TABLE	146.93		
VEN001826	Staples	GJPCARD00086	5/19/2014	101007223	IT-Office Supplies	COFFEE AND STIR STICKS	77.56		
VEN000221	Best Buy	GJPCARD00086	5/19/2014	101007451	IT-Computer/Equip	SPLIT - 6FT HDMI TO DVI C	29.99		
VEN000221	Best Buy	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - 6FT HDMI TO DVI C	29.99		

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Fund No. Fund Name									
101 General									
Informatics									
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - GREAT STUFF 12-O	5.42		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - DW 5/16-IN X 12-IN	10.47		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - DW 3/8-IN X 12-IN B	12.47		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - ANTENNA WALL MO	5.67		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - GB 25-PACK COAX	1.99		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - GB 25-CT 1/4-IN CO	2.34		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - IDEAL GROMMETS	3.29		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00086	5/19/2014	101007224	IT-Operating Supplies	SPLIT - 4.5FT ANTENNA MA	7.97		
VEN000944	IN ASSN CITIES & TOWNS	GJPCARD00086	5/19/2014	101007332	IT-Cellular/Pagers/Mobile	MOTOROLA H15 NOISE CA	51.01		
Subtotal for Informatics							4,100.60		
Clerk Treasurer									
VEN001190	KONA GRILL INC	GJPCARD00084	5/19/2014	101008347	CT-Promotions	TE GRANT	50.75		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	SPLIT - EASTER PARTY 3C	6.00		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	SPLIT - ICE MTN PIPO 24PK	3.99		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	SPLIT - ICE MTN PIPO 24PK	3.99		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	SPLIT - HERSHEY'S 35.6 OZ	9.99		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	SPLIT - MM'S 12.6 OZ MLK C	2.89		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	SPLIT - MM'S 12.6 OZ PEAN	2.89		
VEN001883	TARGET CORPORATION	GJPCARD00085	5/19/2014	101008223	CT-Office Supplies	BALANCING ENTRY AMOUN	1.52		
VEN001392	MITCHELL'S FISH MA	GJPCARD00085	5/19/2014	101008347	CT-Promotions	UE RECEIPTS DISCUSSION	56.24		
Subtotal for Clerk Treasurer							138.26		
Mayor									
VEN000944	IN ASSN CITIES & TOWNS	GJPCARD00086	5/19/2014	101009334	Mayor-Travel/Training/Semina	REGISTRATION FEES FOR I	125.00		
Subtotal for Mayor							125.00		
City Council									
VEN002312	HONEY BAKED HAM	GJPCARD00085	5/19/2014	101010347	City Council-Promotions	City Council-Promotions	98.67		
VEN001197	Kroger	GJPCARD00085	5/19/2014	101010347	City Council-Promotions	REFRESHMENTS FOR MEE	12.98		
VEN002420	MIL TAVERN	GJPCARD00085	5/19/2014	101010347	City Council-Promotions	City Council-Promotions	44.00		
Subtotal for City Council							155.65		

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Fund No. Fund Name									
101 General									
Public Works									
VEN002018	UNITED AIRLINES, INC.	GJPCARD00083	5/19/2014	101013334	PW-Travel/Training/Seminars	KEN'S FLIGHT TICKET TO N	521.00		
VEN000539	DENISON PARKING INC	GJPCARD00083	5/19/2014	101013334	PW-Travel/Training/Seminars	THIS IT THE REFUND FOR	7.00		
VEN000942	Imagery LLC	GJPCARD00084	5/19/2014	101013229	PW-Uniforms	TUITION REIMBURSEMENT	485.96		
VEN000942	Imagery LLC	GJPCARD00084	5/19/2014	101013347	PW-Promotions	TUITION REIMBURSEMENT	19.18		
VEN001493	ORIGINAL PANCAKE H	GJPCARD00084	5/19/2014	101013347	PW-Promotions	SHOP SUPPLIES	25.00		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101013223	PW-Office Supplies	SPLIT - 1.5" PVC CLNOUT A	0.72		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101013223	PW-Office Supplies	SPLIT - 1.5" PVC FEMALE A	0.84		
VEN001266	LOWES COMPANIES, INC.	GJPCARD00085	5/19/2014	101013223	PW-Office Supplies	BALANCING ENTRY AMOUN	0.11		
VEN001983	Tractor Supply Company	GJPCARD00085	5/19/2014	101013229	PW-Uniforms	LUNCH AFTER FUNERAL IN	117.69		
VEN000003	345866-DH RESTAURANT GRP	GJPCARD00085	5/19/2014	101013223	PW-Office Supplies	FLOWERS FOR FIREMAN-B	15.98		
VEN000365	Chapman Electric Supply	GJPCARD00085	5/19/2014	101013223	PW-Office Supplies	BALLAST FOR FLORESCEN	164.01		
VEN002422	COWPOKES WESTERN	GJPCARD00086	5/19/2014	101013229	PW-Uniforms	BOOTS FOR SCOTT AUSTI	300.00		
VEN001983	Tractor Supply Company	GJPCARD00086	5/19/2014	101013229	PW-Uniforms	WIPER BLADES FOR CHEV	79.98		
VEN001197	Kroger	GJPCARD00086	5/19/2014	101013223	PW-Office Supplies	COFFEE FOR CONFERENC	64.93		
VEN002428	INDIANA WESLEYAN UNIV	GJPCARD00086	5/19/2014	101013334	PW-Travel/Training/Seminars	INDIANA WESLEYAN UNIV	1,658.80		
Subtotal for Public Works							3,461.20		
Subtotal for Fund 101 General							38,858.62		
Fund No. Fund Name									
201 Motor Vehicle Highway (MVH)									
Public Works									
VEN001644	RECORDER CONV FEE	GJPCARD00083	5/19/2014	201013472	MVH-Equip	SPLIT - NEW TRENT AIRBE	79.95		
VEN000087	Amazon.com	GJPCARD00083	5/19/2014	201013472	MVH-Equip	THIS IT THE REFUND FOR	-79.95		
VEN000365	Chapman Electric Supply	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - SW 1/2IN-13 X 1-FT	288.00		
VEN001625	R and T Auto Supply Inc	GJPCARD00084	5/19/2014	201013360	MVH-Vehicle Repair	ECONOMIC DEVELOPMENT	258.84		
VEN001504	Paddacks Wrecker Service	GJPCARD00084	5/19/2014	201013349	MVH-Services	TOWING FOR TRUCK #138#	91.00		
VEN000657	Esler's Auto Repair	GJPCARD00084	5/19/2014	201013360	MVH-Vehicle Repair	VEHICLE REPAIR TO TRUC	1,971.27		
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - 5"SWIVEL MO RUBB	55.88		
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - 5/16 X 2" CARR BOL	1.89		
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - 5/16 FLAT WASHER	2.99		
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - 5/16 INSERT LOCKN	1.78		
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - 6" QUICK GRIP BAR	111.79		

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Fund No. Fund Name									
201	Motor Vehicle Highway (MVH)								
Public Works									
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - 12" QUICK GRIP BA	19.97		
VEN001337	Menards	GJPCARD00084	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	13.60		
VEN001479	OFFICE-MAX	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SPLIT - COMM MESH EXEC	-71.95		
VEN000365	Chapman Electric Supply	GJPCARD00084	5/19/2014	201013472	MVH-Equip	HOTEL ROOM FOR JOSH A	175.10		
VEN001417	Napa Auto Parts	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SHOP SUPPLIES	62.53		
VEN001417	Napa Auto Parts	GJPCARD00084	5/19/2014	201013472	MVH-Equip	SHOP SUPPLIES	229.00		
VEN001464	Northside Garage Door System	GJPCARD00085	5/19/2014	201013349	MVH-Services	OVERHEAD DOOR REPAIR	486.00		
VEN001417	Napa Auto Parts	GJPCARD00085	5/19/2014	201013360	MVH-Vehicle Repair	EQUIPMENT REPAIR POWE	46.25		
VEN000657	Esler's Auto Repair	GJPCARD00085	5/19/2014	201013360	MVH-Vehicle Repair	VEHICLE REPAIRS ON TRU	730.74		
VEN001337	Menards	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - 8" TIE 1000/BAG (67.	99.85		
VEN001337	Menards	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - DESIGNER FRONT	29.96		
VEN001337	Menards	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - GEAR DRIVE POP-U	8.98		
VEN001337	Menards	GJPCARD00085	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	9.72		
VEN001983	Tractor Supply Company	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SHOP SUPPLIES	27.77		
VEN000087	Amazon.com	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - NEW TRENT AIRBE	79.95		
VEN001783	Sherwin-Williams	GJPCARD00085	5/19/2014	201013378	MVH-Street Striping	SPLIT - CS RLR CVR-LTX 1/	10.58		
VEN001783	Sherwin-Williams	GJPCARD00085	5/19/2014	201013378	MVH-Street Striping	SPLIT - CS RLR CVR 3/4 NA	10.58		
VEN001783	Sherwin-Williams	GJPCARD00085	5/19/2014	201013378	MVH-Street Striping	SPLIT - HVY DUTY PRO FRA	3.10		
VEN001783	Sherwin-Williams	GJPCARD00085	5/19/2014	201013378	MVH-Street Striping	SPLIT - 4-SIDED HD GRID 5-	3.79		
VEN001783	Sherwin-Williams	GJPCARD00085	5/19/2014	201013378	MVH-Street Striping	SPLIT - 4 WIRE CAGE FRAM	3.19		
VEN001783	Sherwin-Williams	GJPCARD00085	5/19/2014	201013378	MVH-Street Striping	BALANCING ENTRY AMOUN	-4.23		
VEN001302	Marsh Supermarket	GJPCARD00085	5/19/2014	201013472	MVH-Equip	BOUGHT FOOD FOR THE B	37.82		
VEN000087	Amazon.com	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - SANXY NEW UNIV	59.88		
VEN000082	Amanda and Barry Martin	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - NEW TRENT AIRBE	879.45		
VEN000087	Amazon.com	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - AUTOEXEC WHEEL	279.29		
VEN000087	Amazon.com	GJPCARD00085	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	19.58		
VEN001337	Menards	GJPCARD00085	5/19/2014	201013472	MVH-Equip	SPLIT - PIER BASE (62.96)	6.97		
VEN001337	Menards	GJPCARD00085	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	0.72		
VEN001983	Tractor Supply Company	GJPCARD00086	5/19/2014	201013472	MVH-Equip	WIPER BLADES FOR CHEV	128.37		
VEN000686	FBI NATIONAL ACADEMY ASSO	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - AUTOEXEC WHEEL	25.39		
VEN000686	FBI NATIONAL ACADEMY ASSO	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - NEW TRENT AIRBE	79.95		
VEN000686	FBI NATIONAL ACADEMY ASSO	GJPCARD00086	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	1.78		

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Fund No. Fund Name									
201	Motor Vehicle Highway (MVH)								
Public Works									
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 4' X100'SAFETY/SN	179.82		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	12.59		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 2" PVC COUPLING (	2.35		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 2" 90DEG PVC LON	3.72		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 2"X10' PVC PIPE F89	17.96		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 1/3 HP SUB SUMP P	88.00		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 8 OZ REG CLEAR P	2.78		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 8 OZ CLEAR PRIME	5.69		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	8.44		
VEN001983	Tractor Supply Company	GJPCARD00086	5/19/2014	201013472	MVH-Equip	LUNCH FOR LAND COLLEC	291.75		
VEN001983	Tractor Supply Company	GJPCARD00086	5/19/2014	201013226	MVH-Vehicle Gas/ Supplies	TRACTOR-SUPPLY-CO #43	20.31		
VEN001983	Tractor Supply Company	GJPCARD00086	5/19/2014	201013472	MVH-Equip	TRACTOR-SUPPLY-CO #43	106.98		
VEN000555	DICK'S CLOTHING&SPORTING	GJPCARD00086	5/19/2014	201013472	MVH-Equip	DICK'S CLOTHING&SPORTI	106.99		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - 12-2 25' UF W/GR W	19.99		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	BALANCING ENTRY AMOUN	1.40		
VEN001337	Menards	GJPCARD00086	5/19/2014	201013472	MVH-Equip	SPLIT - TAPCON FLT 3/16X1	3.38		
VEN002040	Utility Pipe Sales of IN	GJPCARD00086	5/19/2014	201013472	MVH-Equip	UTILITY PIPE SALES OF	204.11		
Subtotal for Public Works							7,353.38		
Subtotal for Fund 201 Motor Vehicle Highway (MVH)							7,353.38		

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Fund No. Fund Name									
202 Local Road and Street (LRS)									
Public Works									
VEN000151	Ashley Safe and Security Co	GJPCARD00083	5/19/2014	202013472	LRS-Equipment	TOOLBOXES ON TRUCK #1	35.50		
VEN001943	The Ups Store	GJPCARD00083	5/19/2014	202013472	LRS-Equipment	LRS-Equipment	35.28		
VEN001983	Tractor Supply Company	GJPCARD00083	5/19/2014	202013472	LRS-Equipment	SPLIT - PUBLIC ANNOUNCE	12.82		
VEN001337	Menards	GJPCARD00084	5/19/2014	202013472	LRS-Equipment	SPLIT - GEARDRIVE 3/4" RE	1.39		
VEN001337	Menards	GJPCARD00084	5/19/2014	202013472	LRS-Equipment	BALANCING ENTRY AMOUN	0.10		
VEN000487	Custom Touch Irrigation	GJPCARD00084	5/19/2014	202013472	LRS-Equipment	YARD/ IRRIGATION REPAIR	35.00		
VEN001964	Tippmann Industrial Products	GJPCARD00084	5/19/2014	202013472	LRS-Equipment	PARTS FOR SIGN POST DRI	413.17		
VEN001337	Menards	GJPCARD00085	5/19/2014	202013472	LRS-Equipment	SPLIT - GENTRY POST MO	59.97		
VEN001337	Menards	GJPCARD00086	5/19/2014	202013472	LRS-Equipment	MENARDS CARMEL	73.28		
Subtotal for Public Works							666.51		
Subtotal for Fund 202 Local Road and Street (LRS)							666.51		
Fund No. Fund Name									
203 Fire Operating									
Fire									
VEN001018	INST FOR PROF DEVELOPMEN	GJPCARD00083	5/19/2014	203012334	Fire-Travel/Training/Seminars	COLLEGE TUITION	975.00		
VEN001331	MCINDY VENTURES LLC	GJPCARD00083	5/19/2014	203012347	Fire-Promotions	SPLIT - PUBLIC ANNOUNCE	21.00		
VEN002410	FIRE DEPT TRAINING NET	GJPCARD00083	5/19/2014	203012334	Fire-Travel/Training/Seminars	ENGINE COMPANY OPERA	200.00		
VEN002410	FIRE DEPT TRAINING NET	GJPCARD00083	5/19/2014	203012334	Fire-Travel/Training/Seminars	ENGINE COMPANY TRUCK	200.00		
VEN002412	NCH CORP	GJPCARD00083	5/19/2014	203012224	Fire-Operating Supplies	REFRESHMENTS FOR MEE	420.09		
VEN001337	Menards	GJPCARD00083	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 201PC HOLLOW WA	4.49		
VEN001337	Menards	GJPCARD00083	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 12 X 1 PH FLAT SMS	1.59		
VEN001337	Menards	GJPCARD00083	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 100PC METAL ANCH	8.49		
VEN001337	Menards	GJPCARD00083	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - GALV. BRAIDED WI	3.98		
VEN001337	Menards	GJPCARD00084	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - SUPER HOOK	5.00		
VEN002413	ULTA	GJPCARD00084	5/19/2014	203012347	Fire-Promotions	GIFT CARD FOR ADMINIST	20.00		
VEN000372	CHARLESTON'S - WESTFIELD,	GJPCARD00084	5/19/2014	203012347	Fire-Promotions	SPLIT - SW 1/2IN-13 X 1-FT	36.07		
VEN001883	TARGET CORPORATION	GJPCARD00084	5/19/2014	203012347	Fire-Promotions	SPLIT - CARD ALL OCCASIO	3.69		
VEN001883	TARGET CORPORATION	GJPCARD00084	5/19/2014	203012347	Fire-Promotions	BALANCING ENTRY AMOUN	0.26		
VEN001892	TELEFLORA LLC	GJPCARD00084	5/19/2014	203012347	Fire-Promotions	FLOWERS FOR ADMINISTR	32.10		
VEN001337	Menards	GJPCARD00084	5/19/2014	203012343	Fire-Building Maintenance	SPLIT - DRANO MAX GEL 12	25.96		
VEN001479	OFFICE-MAX	GJPCARD00084	5/19/2014	203012223	Fire-Office Supplies	SPLIT - COMM MESH BACK	289.99		

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Fund No. Fund Name									
203 Fire Operating									
Fire									
VEN001479	OFFICE-MAX	GJPCARD00084	5/19/2014	203012223	Fire-Office Supplies	SPLIT - COMM MESH BACK	289.99		
VEN001479	OFFICE-MAX	GJPCARD00084	5/19/2014	203012223	Fire-Office Supplies	SPLIT - COMM MESH EXEC	289.99		
VEN000904	HOOSIER HOSPITALITY OF F	GJPCARD00084	5/19/2014	203012334	Fire-Travel/Training/Seminars	HOTEL ROOM FOR JOSH A	129.00		
VEN000434	Comcast Cable	GJPCARD00085	5/19/2014	203012349	Fire-Services	CABLE FOR FIRE STATION.	49.79		
VEN000434	Comcast Cable	GJPCARD00085	5/19/2014	203012349	Fire-Services	CABLE FOR FIRE STATION.	29.85		
VEN000434	Comcast Cable	GJPCARD00085	5/19/2014	203012349	Fire-Services	CABLE FOR FIRE STATION.	38.34		
VEN002418	MIKE CARWASH	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	WASHED CAR BEFORE FU	11.00		
VEN001574	Pizza Hut	GJPCARD00085	5/19/2014	203012347	Fire-Promotions	LUNCH AFTER FUNERAL IN	66.35		
VEN001115	JET'S PIZZA - CARMEL	GJPCARD00085	5/19/2014	203012347	Fire-Promotions	LUNCH FOR STATION 83 - F	24.56		
VEN001115	JET'S PIZZA - CARMEL	GJPCARD00085	5/19/2014	203012347	Fire-Promotions	LUNCH FOR STATION 82 - F	50.95		
VEN001115	JET'S PIZZA - CARMEL	GJPCARD00085	5/19/2014	203012347	Fire-Promotions	LUNCH FOR STATION 81 - F	117.50		
VEN000035	ADAM B HOFFMAN	GJPCARD00085	5/19/2014	203012347	Fire-Promotions	BOUGHT FOOD FOR THE B	295.00		
VEN001018	INST FOR PROF DEVELOPMEN	GJPCARD00085	5/19/2014	203012334	Fire-Travel/Training/Seminars	BOUGHT FOOD FOR THE B	-75.00		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 2X4-8' STUD/21BTR	30.24		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 8"X10' SCHD 40 PVC	149.97		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - HANDLING CHARGE	8.99		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - STANLEY EARMUFF	13.99		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 2-1/2"SWVL W/BK R	11.94		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 2-1/2"SWIVEL RUBB	26.94		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 2-1/2" ALL PURPOSE	12.79		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - SCREW-12X1-3/4 ZN	5.19		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - WRLS PLUG IN CHM	18.99		
VEN001337	Menards	GJPCARD00085	5/19/2014	203012224	Fire-Operating Supplies	SPLIT - 3 PC KITCHEN TOW	5.98		
VEN001738	Sams Club	GJPCARD00086	5/19/2014	203012224	Fire-Operating Supplies	SAM'S CLUB RENEWAL ME	45.00		
VEN002429	PEAVEY ELECTRONICS	GJPCARD00086	5/19/2014	203012349	Fire-Services	PEAVEY ELECTRONICS CO	54.37		
Subtotal for Fire							3,949.42		
Subtotal for Fund 203 Fire Operating							3,949.42		

Purchase Card Register
City of Westfield

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WESTFIELD\kgagnon

Buy-From Vendor No.	Buy-From Vendor Name	Document No.	Posting Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
206	Parks Programming/Events								
Parks									
VEN002417	ANYPROMO.COM	GJPCARD00084	5/19/2014	206005347	Parks Program/Promotions	SPLIT - DETAIL DESCRIPTI	355.40		
VEN002417	ANYPROMO.COM	GJPCARD00084	5/19/2014	206005347	Parks Program/Promotions	BALANCING ENTRY AMOUN	19.88		
VEN001877	T and T Sales promotions	GJPCARD00084	5/19/2014	206005347	Parks Program/Promotions	RACE ACROSS HAMILTON	519.50		
Subtotal for Parks							894.78		
Subtotal for Fund 206 Parks Programming/Events							894.78		
Fund No. Fund Name									
262	Parks Rental								
Parks									
VEN002415	ELITE SIGNS OUTLET	GJPCARD00084	5/19/2014	262005472	Parks Rental-Equipment	SHELTER MESSAGE BOAR	1,028.75		
Subtotal for Parks							1,028.75		
Subtotal for Fund 262 Parks Rental							1,028.75		
Fund No. Fund Name									
264	Road and Street Improvement (Road Impact)								
Public Works									
VEN001266	LOWES COMPANIES, INC.	GJPCARD00083	5/19/2014	264013231	Road Impact-Subgrade Mat	SPLIT - QPR 50-LB PERMNT	56.45		
VEN001983	Tractor Supply Company	GJPCARD00084	5/19/2014	264013231	Road Impact-Subgrade Mat	SPLIT - SW 1/2IN-13 X 1-FT	54.80		
VEN001337	Menards	GJPCARD00086	5/19/2014	264013231	Road Impact-Subgrade Mat	SPLIT - 50 # POTHOLE PAT	79.80		
VEN001337	Menards	GJPCARD00086	5/19/2014	264013231	Road Impact-Subgrade Mat	BALANCING ENTRY AMOUN	5.59		
VEN001337	Menards	GJPCARD00086	5/19/2014	264013231	Road Impact-Subgrade Mat	MENARDS CARMEL	159.60		
Subtotal for Public Works							356.24		
Subtotal for Fund 264 Road and Street Improvement (Road Impact)							356.24		
Fund No. Fund Name									
269	Training Facility Center								
Public Safety (Police and Fire)									
VEN000434	Comcast Cable	GJPCARD00086	5/19/2014	269014349	Training Fac-Services	COMCAST OF ANDERSON	219.85		
VEN000434	Comcast Cable	GJPCARD00089	5/19/2014	269014349	Training Fac-Services	comcast of anderson	29.85		
Subtotal for Public Safety (Police and Fire)							249.70		
Subtotal for Fund 269 Training Facility Center							249.70		

Purchase Card Register

City of Westfield

6/3/2014 3:54 PM

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WESTFIELD\kgagnon

Buy-From Vendor No.	Buy-From Vendor Name	Document No.	Posting Date	G/L Acct.	G/L Account Name	Description	Amount	Check No.	Check Date
Fund No. Fund Name									
313	2012 and 2013 COIT BAN Construction								
Grand Park									
VEN001536	PAYPAL	GJPCARD00086	5/19/2014	313015474	2012-13 COIT BAN-Constructi	PAYPAL *PRO WARNING	8,883.00		
VEN002027	Upbeat Inc	GJPCARD00086	5/19/2014	313015474	2012-13 COIT BAN-Constructi	UPBEAT	39,500.00		
VEN002427	TOMMY CUSTOM CART	GJPCARD00086	5/19/2014	313015474	2012-13 COIT BAN-Constructi	TOMMY BS CUSTOM CART	35,945.00		
Subtotal for Grand Park							84,328.00		
Subtotal for Fund 313 2012 and 2013 COIT BAN Construction							84,328.00		
Posted Invoices Total							137,685.40		

151st Street Realignment



ORDINANCE 14-28

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) have filed a petition with the Council; and,

WHEREAS, the Council has conducted a public hearing as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 14-116); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. The Annexation Area, located northwest of the intersection of 171st Street (a.k.a. South Street) and Oak Road, adjacent to the existing corporate limits along the northern, southern, and western boundaries of the Annexation Area, is hereby annexed to and declared to be a part of the City.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the Annexation Area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to City Council District 1 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are

hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2014.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Charles Lehman	_____ Charles Lehman	_____ Charles Lehman
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 14-28** was delivered to the Mayor of Westfield
on the _____ day of _____, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 14-28
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 14-28
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

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

Prepared by: Kevin M. Todd, Senior Planner, City of Westfield; 2728 East 171st Street, Westfield, IN 46074; (317) 804-3170.

EXHIBIT A
ANNEXATION AREA

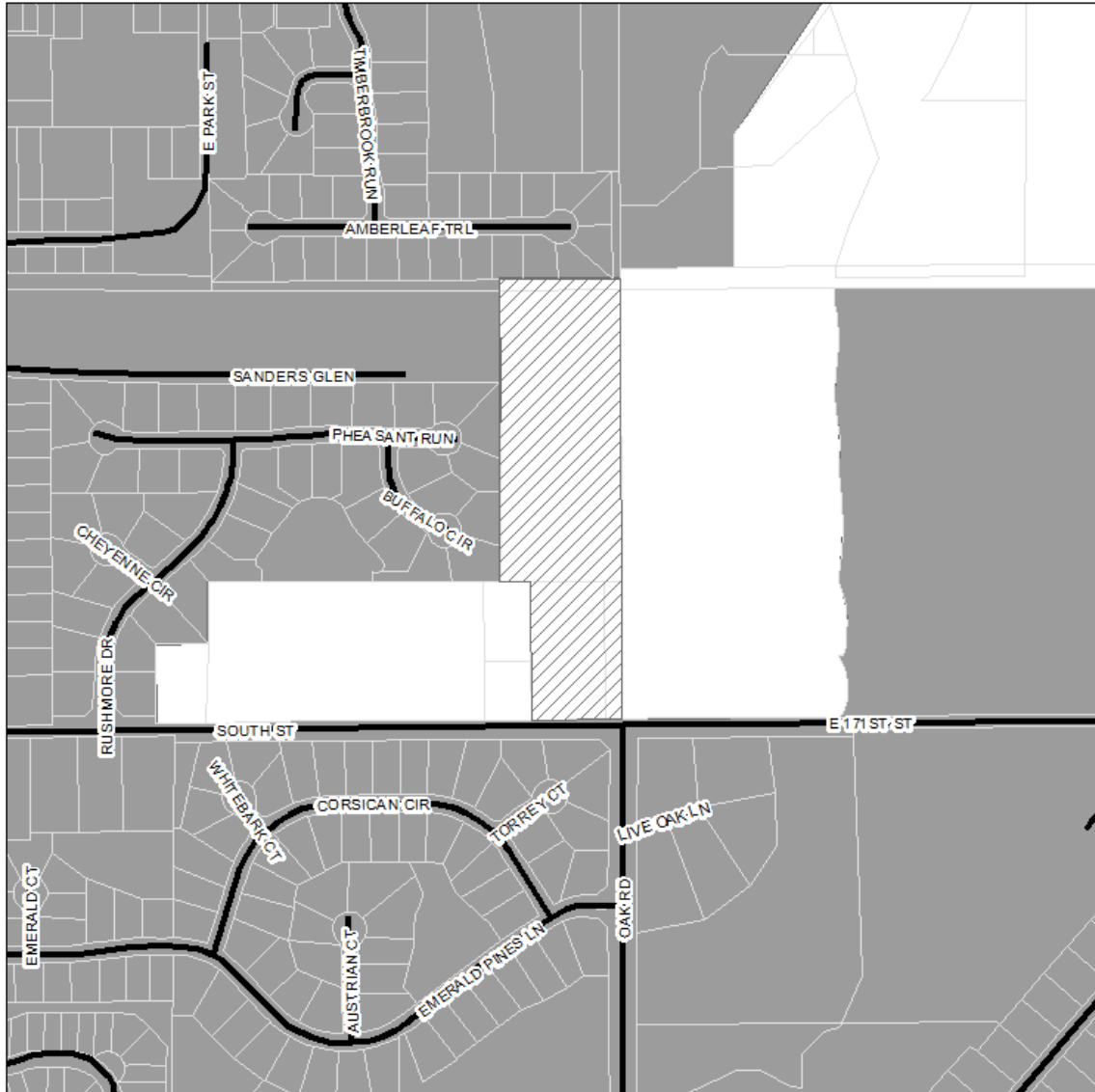


EXHIBIT LEGEND

- | | |
|--|---|
|  ANNEXATION AREA |  PARCELS |
|  EXISTING CITY LIMITS |  STREETS |

Not To Scale

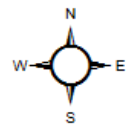


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTION

This description includes four (4) parcels of land:

Parcel No. 08-10-06-00-00-052.000

Parcel No. 08-10-06-00-00-050.001

Parcel No. 08-10-06-00-00-051.000

Parcel No. 08-10-06-00-00-055.000

A part of the Northwest quarter of Section Six (6), Township Eighteen (18) North, Range Four (4) East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows, to wit:

Beginning on the east line of said tract at a point 421.95 feet North of the Southeast corner thereof, thence continuing North on said East line 860.2 feet to the South right-of-way line of the Central Indiana railway Company, thence West along the South right-of-way line of said Railway 350.7 feet, thence South parallel with the East line of the Northwest quarter of said Section Six (6), a distance of 859.4 feet to an existing fence line, thence East along said fence line 350.7 feet to the place of beginning, containing 6.923 acres, more or less.

Parcel II

A part of the Northwest Quarter of Section 6, Township 18 North, Range 4 East, in Hamilton County, Indiana, being more particularly described as follows:

Fifty (50) feet in width East and West, being on the South line of the Northwest Quarter of Section 6, Township 18 North, Range 4 East, at a point fifty (50) feet West of the Southeast corner thereof, thence North parallel with the East line of said Northwest Quarter Section a distance of 422 feet more or less to an existing fence line; thence East fifty (50) feet along said fence line to the East line of said Northwest Quarter Section; thence South 422 feet more or less to the Southeast corner of said Quarter Section; thence West fifty (50) feet to the place of beginning.

Parcel III

Part of the Northwest Quarter of Section 6, Township 18 North, Range 4 East, Hamilton County, Indiana, and being more particularly described as follows:

Beginning at a point on the South line of said quarter section being North 90 degrees 00 minutes 00 seconds West (assumed basis of bearing) 50.009 feet from the Southeast corner thereof; thence continue North 90 degrees 00 minutes 00 seconds west, along said South line 221.74 feet; thence North 0 degrees 10 minutes 07 seconds East, parallel with the East line of said quarter section; 422.00 feet; thence South 89 degrees 59 minutes, 24 seconds East 221.74 feet; thence South 0 degrees 10 minutes 07 seconds West, parallel with said East line, 421.96 feet to the point of beginning and continuing 2.148 acres, more or less.

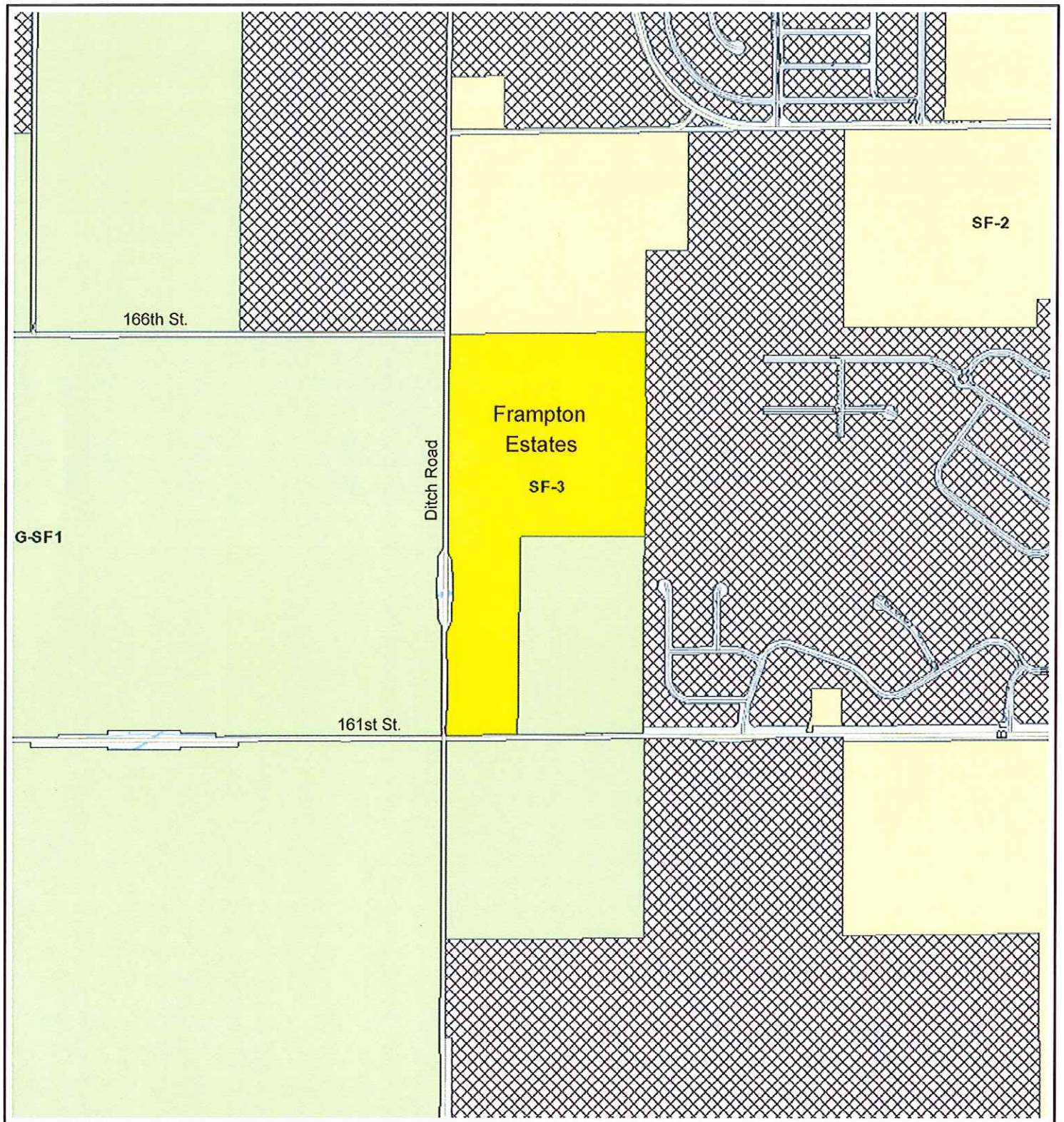
Parcel IV

A part of the Northeast Quarter of Section 6, Township 18 North, Range 4 East, Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Beginning at the Northwest corner of the Northeast Quarter of said section 6; thence South 00 degrees 06 minutes 55 seconds West 2,851.07 feet to the POINT OF BEGINNING of this description, said point also being on the North right-of-way line of the Central Indiana Railway; thence continuing South 00 degrees 06 minutes 55 seconds West 30.00 feet; thence North 89 degrees 52 minutes 52 seconds West 350.70 feet; thence North 00 degrees 10 minutes 42 seconds East 30.00 feet to a point on the aforesaid right-of-way; thence South 89 degrees 55 minutes 45 seconds East along said right-of-way 350.67 feet to the place of beginning. Containing .25 acres more or less.

ALSO INCLUDING:

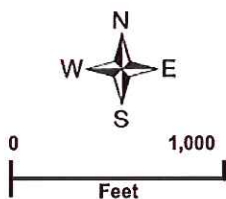
In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of 171st Street (a.k.a. South Street).



The City of Westfield

Current Zoning Map

Printed: Apr 22, 2014



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COMMITMENTS MODIFYING EXISTING COMMITMENTS CONCERNING
THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION
WITH A ZONE MAP CHANGE.

In accordance with I.C. 36-7-4-613 or I.C. 36-7-4-615, the Owner of the real estate located in the City of Westfield, Hamilton County, Indiana, which is described below, makes the following modifications of commitments concerning the use and development of the following described parcel of real estate:

LEGAL DESCRIPTION: See Attached "Exhibit A – Legal Description"

STATEMENT OF MODIFICATION OF COMMITMENTS:

In 2006, Commitments were made to the Westfield City Council as a part of Ordinance No. 06-49 regarding the use and development of the real estate described above and recorded in Hamilton County, Indiana, as a part of Instrument No. 20060065837 (the "Existing Commitments"). The Existing Commitments shall be modified as follows:

1. Section 4, Item E, 3. shall be modified to read "All gas pumps shall be located and covered with a canopy as depicted on the site plan attached hereto as Exhibit B."
2. Section 4, Item E, 5. shall be modified to read "Said automobile service station shall be open and operating only between the hours of 5:00 A.M. and twelve midnight."

In all other respects, the Existing Commitments shall remain in effect and unchanged.

This MODIFICATION OF COMMITMENTS shall run with the land, be binding on the Owner of the above-referenced real estate, subsequent owners of the above-referenced real estate and other persons acquiring an interest therein. This MODIFICATION OF COMMITMENTS may be modified or terminated by a decision of the Westfield City Council following a public hearing held by the Westfield - Washington Township Plan Commission.

The MODIFICATION OF COMMITMENTS contained in this instrument shall be effective upon the Westfield City Council approval of Resolution 14-XXXX.

This MODIFICATION OF COMMITMENTS may be enforced jointly or severally by:

1. The Westfield City Council;
2. Owners of all parcels of ground adjoining the real estate and all owners of real estate within the area included in the petition who were not petitioners for approval.

The undersigned hereby authorizes the City of Westfield, Indiana, to record this MODIFICATION OF COMMITMENTS in the Office of the Recorder of Hamilton County, Indiana, upon final approval of Resolution 14-XXXX by the Westfield City Council.

IN WITNESS WHEREOF, Owner has executed this instrument this ____ day of

_____, 20____.

L & Q Realty, LLC

By: _____

Printed: _____

Title: _____

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for said County and State, personally appeared _____
_____ as _____ of L & Q Realty, LLC, the Owner
of the real estate described above, who acknowledged the execution of the foregoing instrument
in such capacity and who, having been duly sworn, stated that any representations therein
contained are true.

Witness my hand and Notarial Seal this ____ day of _____, 20____.

Signature: _____

Printed: _____

County of Residence _____

My Commission expires: _____

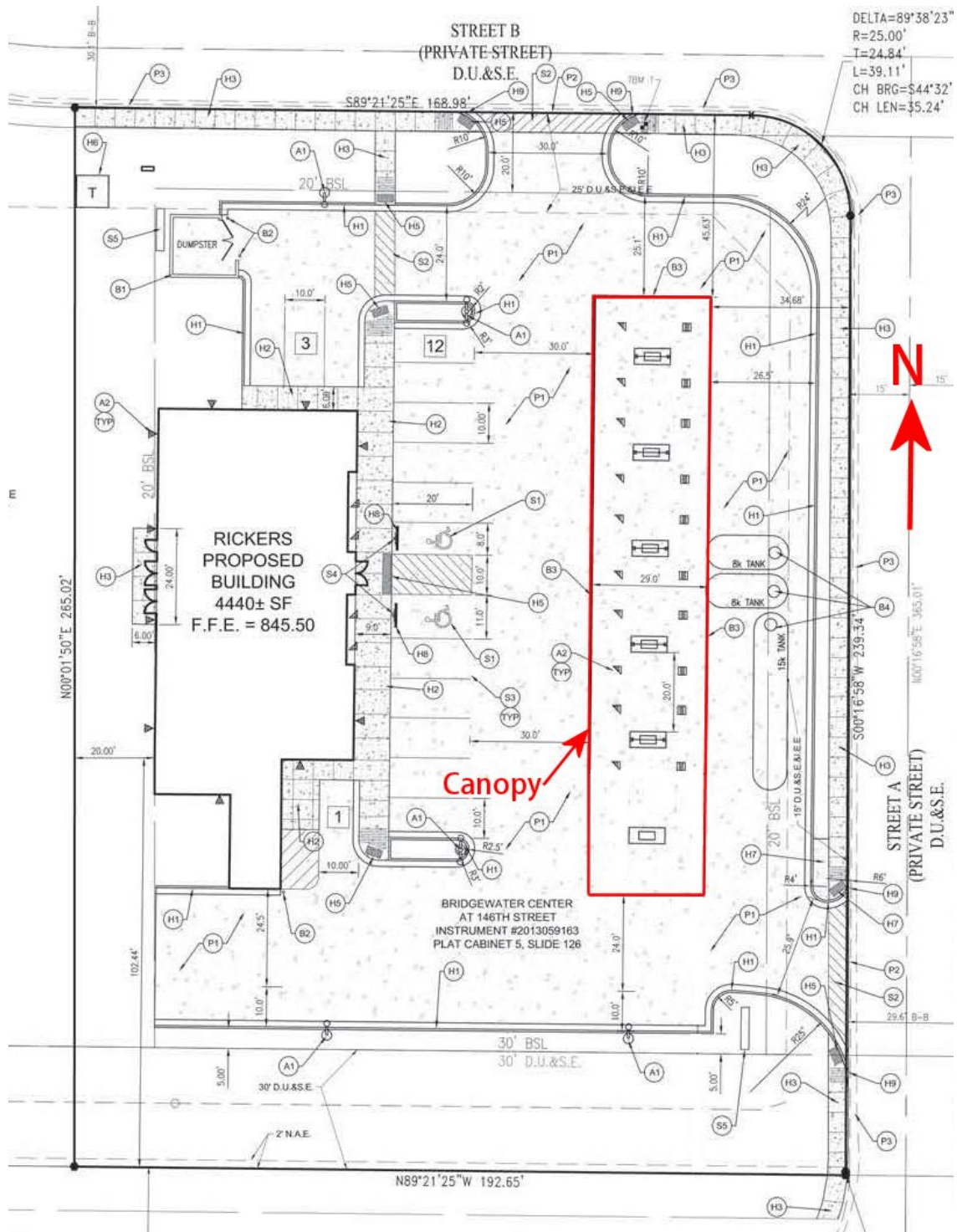
This instrument was prepared by Joseph M. Scimia, Faegre Baker Daniels LLP, 600 East 96th
Street, Suite 600, Indianapolis, IN 46240.

I affirm under the penalties for perjury, that I have taken reasonable care to redact each and every
Social Security number from this document, unless it is required by law. Joseph M. Scimia

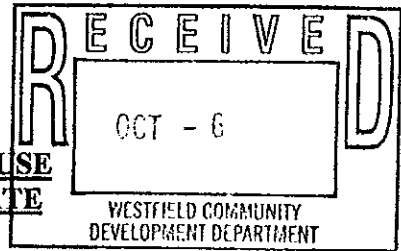
Exhibit A – Legal Description

Lot 2 of Bridgewater Center at 146th Street per the Plat thereof recorded as Instrument Number 2013059163 on Slide 126 in Plat Cabinet 5 in the Office of the Recorder of Hamilton County, Indiana.

SITE PLAN



**COMMITMENTS CONCERNING THE USE
AND DEVELOPMENT OF REAL ESTATE**



Throgmartin-Henke Development, LLP (the "Developer"), the owner and/or contract purchaser of the real estate located in Hamilton County, Indiana, and described in what is attached hereto and incorporated herein by referenced as Exhibit "1" (the "Real Estate"), makes the following Commitments (the "Commitments") to the Advisory Plan Commission of the Town of Westfield, Indiana (the "Plan Commission") and the Town Council of the Town of Westfield, Indiana (the "Council").

Section 1. Cross Reference. These Commitments are made in connection with approvals obtained under Docket Number 0607-PUD-08, and The Bridgewater Club Restated and Consolidated Planned Unit Development District Ordinance No. 06-49 (the "PUD").

Section 2. Exhibits. The following exhibits are attached hereto and incorporated herein by reference:

Exhibit 1. Attached hereto and incorporated herein by reference as Exhibit 1 is the legal description of the real estate (the "Real Estate"); and

Exhibit 2. Attached hereto and incorporated herein by reference as Exhibit 2 is the district map (the "Concept Plan") which apportions the Real Estate into different parcels;

Exhibit 3. Attached hereto and incorporated herein by reference as Exhibit 3 is a rendering of automobile service station (the "Drawing").

Section 3. Other Definitions. Different words and terms are defined throughout these Commitments and, further, the following definitions shall apply throughout these Commitments:

- A. Association. The term "Association" shall mean and refer to a non-profit corporation established by the Developer per the terms of the Declaration. There may be more than one Association with respect to all or part of the Real Estate, as determined by the Developer in the Developer's sole discretion.
- B. Declaration. The term "Declaration" shall mean and refer to the Declaration of Covenants, Conditions, and Restrictions applicable to all or some Districts prepared and recorded by the Developer with the Recorder of Hamilton County, Indiana. There may be more than one (1) Declaration, as determined by the Developer in the Developer's sole discretion.
- C. Town. The term "Town" shall mean and refer to the Town of Westfield, Indiana.

Section 4. Commitments. The following are applicable to the Real Estate as follows:

- A. Within the area identified on the Concept Plan as Parcel M-4 ("Parcel M-4"), deliveries and trash pick-up shall not occur before 8:00 A.M. or after 8:00 P.M.
- B. Within Parcel M-4, outdoor music shall be prohibited after 11:00 P.M.
- C. The Developer, or the Association established by the Developer in connection with Parcel M-4, shall be responsible for the maintenance of any landscaping installed by the Developer within the forty (40) foot wide buffer along the eastern boundary of Parcel M-4.
- D. The Developer, or the Association established by the Developer in connection with Parcel M-4, shall be responsible for the maintenance of any landscaping installed by the Developer within the twenty (20) foot wide buffer along the eastern boundary of Parcel K-3.
- E. As stated in Section 8 (B) the PUD, one (1) automobile service station, including car wash, the sale of gasoline, other automotive petroleum products, and retail consumer goods, is permitted anywhere within Area Y, as defined by the PUD. If said automobile service station is located within Parcel M-4, then it must be located within the area identified on the Concept Plan as Lot 1, Lot 2, Lot 3, and/or Lot 4 in Parcel M-4 and, further, it must satisfy the following requirements:
1. Said automobile service station shall be residential in appearance, with a sloped roof and brick exteriors, as illustrated by the Drawing;
 2. The canopy or roof above the gas pumps shall be of the same materials as the shingled roof above the primary service station building, as illustrated by the Drawing;
 3. All gas pumps shall be located away from perimeter or external streets, as illustrated by the Drawing;
 4. The perimeter boundaries of parcel containing said automobile service station shall be heavily buffered and landscaped in the manner illustrated on the Drawing; and
 5. Said automobile service station shall be open and operating only between the hours of 6:00 A.M. and twelve midnight.
- F. On the date of these Commitments, a fence and tree row existed on the boundary line between Parcel M-4 and Parcel K-3 (the "Tree Row"). Prior to the commencement of any construction within Parcel K-3 or Parcel M-4, the fence will be removed from the Tree Row, healthy trees within the Tree Row shall be preserved, but underbrush and scrub shall be removed from the Tree Row.
- G. Within the residential subdivision located to the east of Parcel M-4, commonly known as Brentwood Village, there are eleven (11) residences which back up and are parallel to the eastern boundary of Parcel M-4 (the "Eleven Residences"). The Developer shall provide each owner of each of the Eleven Residences with a list of at least six (6) species of trees, comprising a combination of spruce trees and deciduous trees, from which to select. Within fifteen (15) days after receipt of such list, each such owner shall both select a total of five (5) trees from the species of trees specified on the list and shall communicate such selection in writing to the Developer. Before any building permits are issued with respect to any building in Parcel M-4, the Developer shall deliver to each of the Eleven Residences the five (5)

trees selected by the owners of each of the Eleven Residences. The deciduous trees delivered by Developer shall have a minimum caliper of three (3) inches at planting, and the spruce trees delivered by Developer shall be a minimum of six (6) feet in height at planting. In the event that any such owner fails to timely deliver to Developer written notice of such owner's selection of five (5) trees, the Developer may fulfill and discharge the commitment specified in this Section 4 (G) by selecting and delivering five (5) trees to such owner's residence.

- H. Prior to the issuance of any building permits for any building within Parcel D-4, G-7, K3, or M-4, the Developer shall contribute the sum of ten thousand dollars (\$10,000.00) to the Brentwood Village Property Owners Association, Inc.

Section 5. Binding on Successors. These Commitments are binding on the Owner of the Real Estate, each subsequent Owner of the Real Estate, and each other person acquiring an interest in the Real Estate, unless modified or terminated by the Commission. These Commitments may be modified or terminated only by a decision of the Plan Commission after a public hearing wherein notice as provided by the rules of the Plan Commission has been made. The provisions of this Section 8 notwithstanding, these Commitments shall terminate as to any part or parts of the Real Estate hereafter reclassified (rezoned) on the Town's Official Zone Map.

Section 6. Effective Date. The Commitments contained herein shall be effective upon the occurrence of all of the following events:

- A. The adoption of an the PUD by the Town Council; and
- B. The commencement of the development of the Real Estate in accordance with the adopted PUD.

Section 7. Recording. The undersigned hereby authorizes the Secretary of the Commission to record these Commitments in the Office of the Recorder of Hamilton County, Indiana.

Section 8. Enforcement. These Commitments may be enforced by the Commission and the Town Council of Fishers, Indiana and any property owner within or immediately adjacent to the Real Estate.

IN WITNESS WHEREOF, THROGMARTIN-HENKE DEVELOPMENT, LLP, has caused these Commitments to be executed as of the date first written above.

THROGMARTIN-HENKE
DEVELOPMENT, LLP

By:

Steven H. Henke, Partner

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Steven H. Henke, Partner of Throgmartin-Henke Development, LLP, and having been duly sworn, acknowledged execution of the foregoing Commitments.

Witness my hand and Notarial Seal this _____ day of _____, 2006.

My Commission Expires:

Notary Public

Residing in _____ County

Printed Name

Prepared By: Charles D. Frankenberger, Nelson & Frankenberger, 3105 East 98th Street, Suite 170, Indianapolis, Indiana 46280 (317) 844-0106

EXHIBIT 1

Job #980516-30200
June 13, 2006

THE BRIDGEWATER CLUB – NEW AREA DESCRIPTION

Part of the Southwest Quarter and the Southeast Quarter of Section 17, Township 18 North, Range 4 East of the Second Principal Meridian, in Washington Township, Hamilton County, Indiana more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 17; thence along the North line of said Southwest Quarter, North 89 degrees 46 minutes 23 seconds East 2645.42 feet to the Northeast corner of said Southwest Quarter; thence North 89 degrees 52 minutes 47 seconds East along the North line of said Southeast Quarter 469.00 feet to the Northwest corner of land described in Instrument No. 200300063205, recorded in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 56 minutes 37 seconds East along the West line of said described land 256.00 feet to the Southwest corner thereof; thence North 89 degrees 52 minutes 47 seconds East along the South line of said described land and the Easterly extension thereof 332.36 feet to the West line of 16 acres off the East side of the Northwest Quarter of the Southeast Quarter of said Section 17 as described in Instrument No. 200500073814, recorded in said Recorder's Office; thence South 00 degrees 51 minutes 28 seconds East along said West line 407.09 feet; thence South 89 degrees 52 minutes 47 seconds West parallel with the North line of said Southeast Quarter 800.75 feet to the East line of the Southwest Quarter of said Section 17; thence along the East line of said Southwest Quarter, the Northerly extension of the Western line of Setters Run – Section 2 as described in Instrument No. 9709744238 in the Office of the Recorder of Hamilton County, Indiana, and said Western line, South 00 degrees 56 minutes 37 seconds East 340.87 feet to the Easterly extension of the North line of the land described in Setters Run - Section 3 subdivision in Instrument No. 199909950775 in said Recorder's Office (the next three courses are along the North lines of said Setters Run - Section 3 subdivision); 1) thence South 89 degrees 35 minutes 48 seconds West 865.84 feet; 2) thence South 00 degrees 12 minutes 56 seconds East 1.90 feet; 3) thence South 89 degrees 40 minutes 15 seconds West 457.06 feet to the East line of the West Half of said Southwest Quarter; thence along said East line, South 00 degrees 55 minutes 47 seconds East 318.14 feet to the Northeast corner of the Southwest Quarter of said Southwest Quarter; thence along the North line of said Quarter Quarter, South 89 degrees 44 minutes 06 seconds West 660.12 feet to a point, which point is the Northerly extension of the West boundary of the land described in Brentwood Village subdivision in Instrument No. 9561116 (Plat Cab. 1, Slide 633) in said Recorder's Office; thence along said Northerly extension of the West boundary and the West boundary of said Brentwood Village subdivision, South 00 degrees 40 minutes 08

seconds East 1327.87 feet to the South line of said Southwest Quarter; thence along said South line, South 89 degrees 41 minutes 46 seconds West 657.19 feet to the Southwest corner of said Southwest Quarter; thence along the West line of said Southwest Quarter, North 00 degrees 54 minutes 56 seconds West 2656.74 feet to the Point of Beginning, containing 101.255 acres, more or less.

Subject to all easements, rights of way and restrictions of record.

Exhibit 1

Job #980516-30200
June 13, 2006

THE BRIDGEWATER CLUB – NEW AREA DESCRIPTION

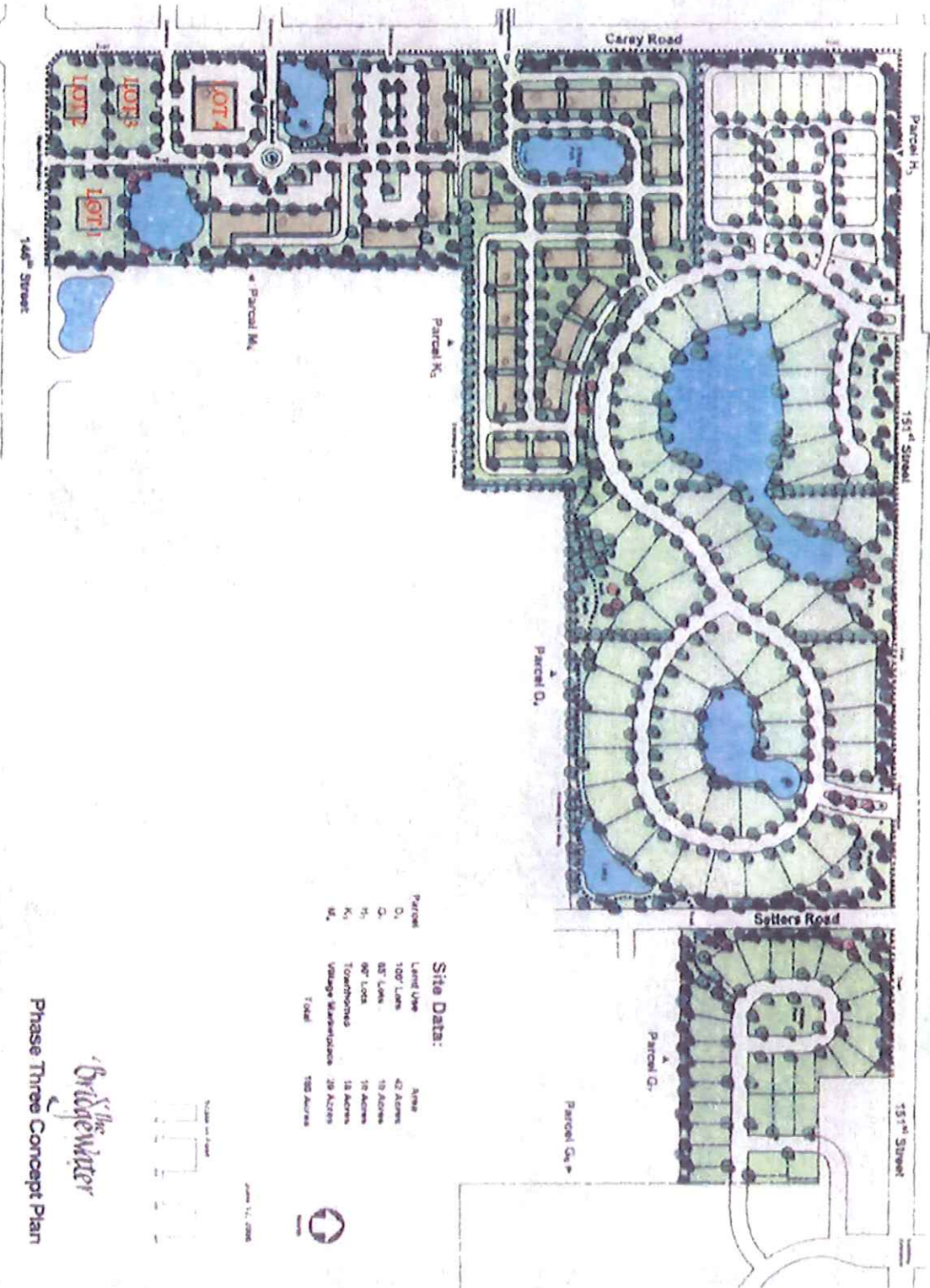
Part of the Southwest Quarter and the Southeast Quarter of Section 17, Township 18 North, Range 4 East of the Second Principal Meridian, in Washington Township, Hamilton County, Indiana more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 17; thence along the North line of said Southwest Quarter, North 89 degrees 46 minutes 23 seconds East 2645.42 feet to the Northeast corner of said Southwest Quarter; thence North 89 degrees 52 minutes 47 seconds East along the North line of said Southeast Quarter 469.00 feet to the Northwest corner of land described in Instrument No. 200300063205, recorded in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 56 minutes 37 seconds East along the West line of said described land 256.00 feet to the Southwest corner thereof; thence North 89 degrees 52 minutes 47 seconds East along the South line of said described land and the Easterly extension thereof 332.36 feet to the West line of 16 acres off the East side of the Northwest Quarter of the Southeast Quarter of said Section 17 as described in Instrument No. 200500073814, recorded in said Recorder's Office; thence South 00 degrees 51 minutes 28 seconds East along said West line 407.09 feet; thence South 89 degrees 52 minutes 47 seconds West parallel with the North line of said Southeast Quarter 800.75 feet to the East line of the Southwest Quarter of said Section 17; thence along the East line of said Southwest Quarter, the Northerly extension of the Western line of Setters Run – Section 2 as described in Instrument No. 9709744238 in the Office of the Recorder of Hamilton County, Indiana, and said Western line, South 00 degrees 56 minutes 37 seconds East 340.87 feet to the Easterly extension of the North line of the land described in Setters Run - Section 3 subdivision in Instrument No. 199909950775 in said Recorder's Office (the next three courses are along the North lines of said Setters Run - Section 3 subdivision); 1) thence South 89 degrees 35 minutes 48 seconds West 865.84 feet; 2) thence South 00 degrees 12 minutes 56 seconds East 1.90 feet; 3) thence South 89 degrees 40 minutes 15 seconds West 457.06 feet to the East line of the West Half of said Southwest Quarter; thence along said East line, South 00 degrees 55 minutes 47 seconds East 318.14 feet to the Northeast corner of the Southwest Quarter of said Southwest Quarter; thence along the North line of said Quarter Quarter, South 89 degrees 44 minutes 06 seconds West 660.12 feet to a point, which point is the Northerly extension of the West boundary of the land described in Brentwood Village subdivision in Instrument No. 9561116 (Plat Cab. 1, Slide 633) in said Recorder's Office; thence along said Northerly extension of the West boundary and the West

boundary of said Brentwood Village subdivision, South 00 degrees 40 minutes 08 seconds East 1327.87 feet to the South line of said Southwest Quarter; thence along said South line, South 89 degrees 41 minutes 46 seconds West 657.19 feet to the Southwest corner of said Southwest Quarter; thence along the West line of said Southwest Quarter, North 00 degrees 54 minutes 56 seconds West 2656.74 feet to the Point of Beginning, containing 101.255 acres, more or less.

Subject to all easements, rights of way and restrictions of record.

Exhibit 2



Site Data:

Parcel	Land Use	Area
K1	100' Lot	42 Acres
K2	100' Lot	19 Acres
K3	100' Lot	19 Acres
K4	100' Lot	19 Acres
K5	100' Lot	19 Acres
K6	100' Lot	19 Acres
Total		138 Acres

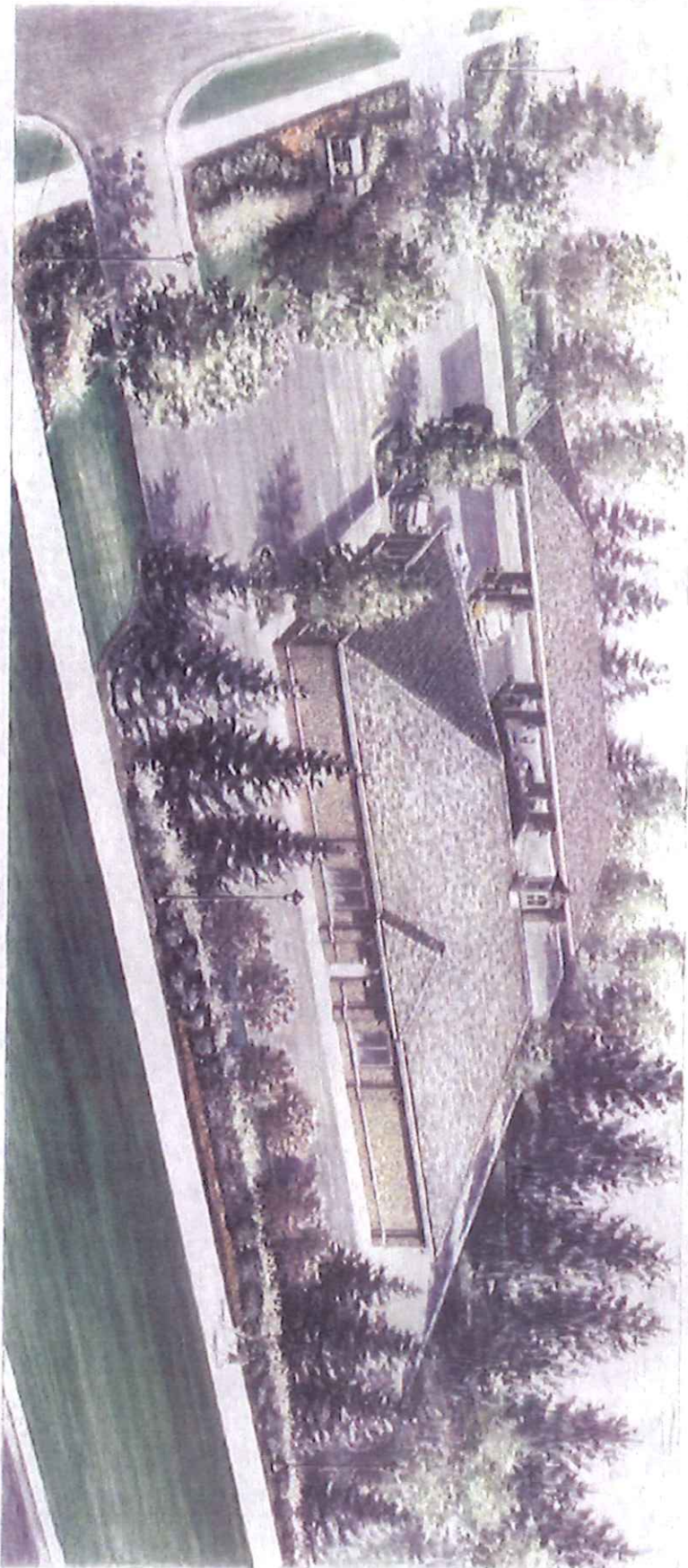


Scale 1" = 100'



BridgeWater
Phase Three Concept Plan

Exhibit 3





Westfield City Council Report

Ordinance Number: 14-26
APC Petition Number: 1407-ZOA-01
Request Action: Approval of an Ordinance to Repeal Existing Zoning and Subdivision Ordinance and Adopt a Replacement Westfield-Washington Township Unified Development Ordinance
Exhibits: 1. Staff Report
2. Unified Development Ordinance
Prepared by: Jesse M. Pohlman, Senior Planner

PETITION HISTORY

This petition is currently scheduled as follows:

06/09/14	City Council Introduction
06/16/14	Plan Commission Introductory Presentation
07/21/14	Plan Commission Public Hearing
08/04/14	Plan Commission's Consideration for Recommendation
08/11/14	City Council's Consideration for Adoption

PROCEDURAL

- Procedures to repeal an existing zoning ordinance and adopt a replacement zoning ordinance are established by Indiana Code (I.C. 36-7-4-600, *et seq.*).
- Replacement zoning ordinances are required to be considered at a public hearing. The public hearing for this petition is scheduled for July 21, 2014, by the Plan Commission.

OVERVIEW

The existing Westfield-Washington Township Zoning Ordinance (the "Existing Ordinance") was initially adopted in 1977 and applies to all of Washington Township. Since then, various amendments have been considered and adopted over the years to address issues resulting from growth in the community.

The Economic and Community Development Department (the “Department”) was charged with the following with regard to the Existing Ordinance:

- 1) Increase procedural efficiencies and predictability in the development process.
- 2) Create a user-friendly document that is easy to navigate, easy to understand, and electronically portable (as this document can provide the first impression for those that may be investing in our community).
- 3) Incorporate revisions to standards that need immediate attention while providing a structure for easy annotation of future “patches” to the ordinance that may be needed.
- 4) Take a holistic approach to modernize the document and to ensure standards are clear and do not conflict internally to the document, and that verbiage and terminology is being used consistently throughout the document.

In response, the Department reformatted the Existing Ordinance and began working with the Public Works Department and the Council’s Committee on Ordinance Revisions (“Hoover Commission”) to begin reviewing the reformatted ordinance and proposed revisions to further the above objectives.

The result of those efforts is the reformatted ordinance at **Exhibit 2**, which is being called a “Unified Development Ordinance” (or “UDO”). A UDO simply refers to the fact that the reformatted ordinance combines both the zoning and subdivision ordinances into a single, unified book (much like the Existing Ordinance is today), rather than separate zoning and subdivision control ordinances.

Approximately eighty-five percent (85%) of the changes in the UDO from the Existing Ordinance are reformatting and grammatical/draftsmanship changes, while roughly fifteen percent (15%) of the changes modify standards or create new sections in the ordinance.

Please note this process and ordinance will not change the zoning of any property nor will it modify the existing zoning map.

A detailed summary of the UDO will be included for the Plan Commission’s June 19th Introductory Presentation. The staff will also be presenting an in-depth overview of the UDO at this Plan Commission meeting.

RECOMMENDATIONS/ACTIONS

City Council

Introduction: June 9, 2014

Eligible for Adoption: August 11, 2014

Submitted by: Jesse M. Pohlman, Senior Planner (317.402.4380 or jpohlman@westfield.in.gov)
Economic and Community Development Department

ORDINANCE NUMBER 14-30

AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO TITLE 16 – LAND USE CONTROLS

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

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

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1405-PUD-06**), requesting an amendment to the Zoning Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1405-PUD-06** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2014;

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

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

Section 1. Applicability of Ordinance.

- 1.1 The Zoning Ordinance is hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**Kroger Depot and Fuel Center PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, and (ii) the provisions of the Zoning Ordinance as set forth herein, unless specifically modified by the terms of this Ordinance.
- 1.3 All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

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

- 2.1 Character Exhibit(s). The illustrative exhibits attached hereto and incorporated by reference as **Exhibit B.** The exhibits are conceptual in nature and provided to illustrate the intended quality of structures to be constructed in the District. Although the exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of structures that are permitted to be constructed and that contribute to the District's intent and vision. The Department shall determine whether a structure is consistent with the established benchmark and complies with the standards of this Ordinance. The Department's decision may be appealed to the Plan Commission.
- 2.2 Conceptual Plan: The plan attached hereto and incorporated herein by reference as **Exhibit C.**
- 2.3 Developer: Any individual, corporation, partnership or entity engaged in the improvement of a parcel of land or construction of a building within the District.
- 2.4 Underlying Zoning District: The Zoning District of the Zoning Ordinance that shall govern the development of the District and its various subareas, as set forth in this Ordinance.

Section 3. Conceptual Plan. The Conceptual Plan provides a general vision for the development of the District which illustrates one possible layout of internal drives, uses, green space, thoroughfares, and buildings that are permitted by this Ordinance. The Conceptual Plan is only conceptual. The final layouts and sites plans shall be subject to the terms and conditions of this Ordinance and may vary from the Conceptual Plan.

Section 4. Underlying Zoning Districts. The Underlying Zoning District shall be the GB-General Business District. Except as modified, revised, supplemented or expressly made inapplicable by this Ordinance, the standards of the Zoning

Ordinance applicable to the Underlying Zoning District, as set forth above, shall apply.

Section 5. Permitted Uses. The uses permitted in the District shall be Gasoline Service Station and related convenience sales.

Section 6. General Regulations. The regulations of the Underlying Zoning District shall apply to the development of the District.

Section 7. Setbacks. Setbacks shall be as follows:

- A. Front Yard shall be 60 feet.
- B. Side Yard that abuts residential to the north shall be 60 feet.

Section 8. Parking. The parking and loading standards of the Zoning Ordinance (WC § 16.04.120) shall apply.

Section 9. Landscaping and Screening. The District's landscaping and screening shall comply with the Zoning Ordinance (WC § 16.06), except as otherwise provided below.

- A. The north buffer yard shall be 28 feet wide and a minimum of 18 feet tall after the plantings have reached maturity in the northeast corner to provide a visual barrier between the District and Countryside condominiums planned to be constructed to the north. The visual buffer may include but is not limited to a combination of an earthen berm combined with plantings.
- B. The west buffer yard shall be 28 feet wide and planted per the requirements of the Zoning Ordinance (WC § 16.06).

Section 10. Sign Standards. The District's signs shall comply with the Zoning Ordinance (WC § 16.08.010), except as otherwise provided below.

- A. Area of signage allowed will be 1.1 SF per 1 LF of building frontage parallel with the ROW. For signage purposes, the fuel center canopy, depot and rest area canopies shall count as building frontage.
- B. Electronic signage shall be no more than 45% of the total area of signage.
- C. The canopy signage shall have a maximum height of 3'-6" and maximum width of 18'.
- D. The Depot signage shall have a maximum height of 2'-6" and maximum width of 13'-6".

Section 11. Lighting Standards. The District's lighting shall comply with the Zoning Ordinance (*WC § 16.07.010*).

Section 12. Architectural and Streetscape Design Standards. The procedures and regulations of *WC § 16.04.165 Development Plan Review* applicable to the Underlying Zoning District shall apply.

- 12.1 Character Exhibit. Character illustrations indicating conceptually the intended architecture, quality, exterior building materials, and appearance of buildings within the District are provided in the Character Exhibit, attached hereto as **Exhibit B.**

Section 13. Infrastructure Standards.

- 13.1 The District's infrastructure shall comply with the Zoning Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works in consideration to the preservation of the natural topography and environment and in consideration to the unique design intent of the District.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2014.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 14-30** was delivered to the Mayor of Westfield

on the _____ day of _____, 2014, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 14-30**

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 14-30**

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

This document prepared by: Paula J. Gartner, PE

SCHEDULE OF EXHIBITS

Exhibit A	Real Estate Legal Description
Exhibit B	Character Exhibits
Exhibit C	Conceptual Plans

EXHIBIT A
Real Estate
Legal Description



Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
7400 N. Shadeland Ave., Ste. 150, Indianapolis, IN 46250
Phone: 317.913.6930 Toll Free: 888.775.3648

emht.com

TOWN OF WESTFIELD, HAMILTON, INDIANA

EXHIBIT "A"

FOR

KROGER J970

NEW FUEL CENTER

LEGAL DESCRIPTION

DATE: April 04, 2014

JOB NO. 20130506

SCALE: None

EXHIBIT "A"

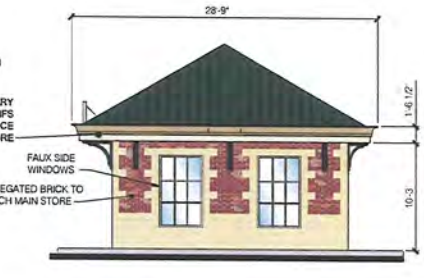
REAL ESTATE DESCRIPTION PER TITLE COMMITMENT

PART OF THE NORTHWEST QUARTER, SECTION 11, TOWNSHIP 18 NORTH, RANGE 3 EAST, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE ABOVE MENTIONED QUARTER, NORTH 00 DEGREES 00 MINUTES EAST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID QUARTER SECTION 361.38 FEET TO THE PLACE OF BEGINNING TO THIS DESCRIPTION, THENCE CONTINUING ALONG SAID LINE 249.52 FEET TO A POINT THENCE NORTH 90 DEGREES 00 MINUTES EAST 312.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 00 MINUTES EAST 249.52 FEET TO A POINT, THENCE SOUTH 90 DEGREES 00 MINUTES WEST 312.00 FEET TO A POINT WHICH IS THE BEGINNING POINT OF THIS DESCRIPTION.

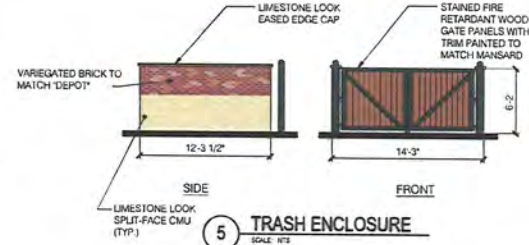
EXHIBIT B
Character Exhibits



3 RIGHT SIDE ELEVATION
SCALE: NTS



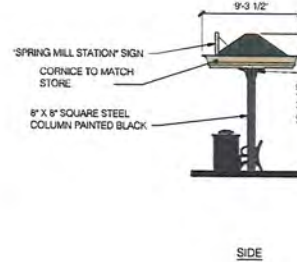
4 LEFT SIDE ELEVATION
SCALE: NTS



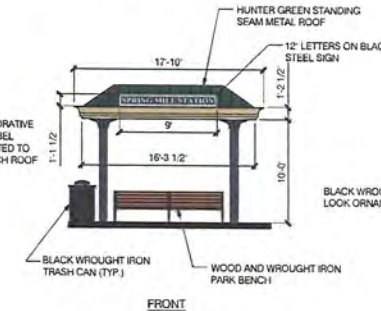
5 TRASH ENCLOSURE
SCALE: NTS



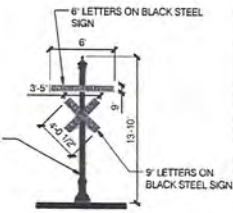
2 REAR ELEVATION
SCALE: NTS



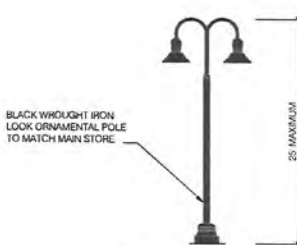
6 REST STOP SHELTER
SCALE: NTS



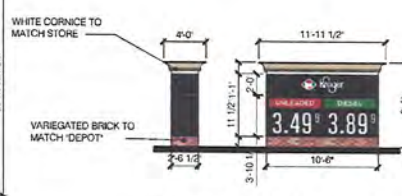
7 CROSSING SIGN
SCALE: NTS



1 FRONT ELEVATION
SCALE: NTS



8 LIGHT POLE
SCALE: NTS

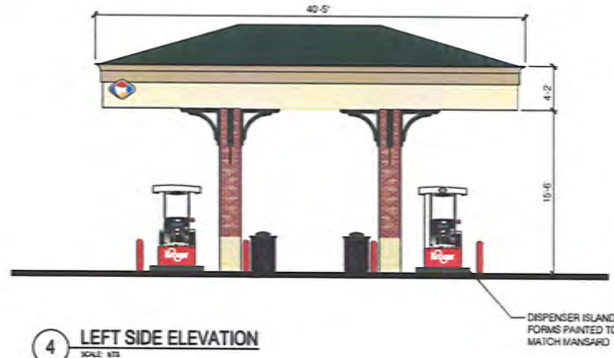
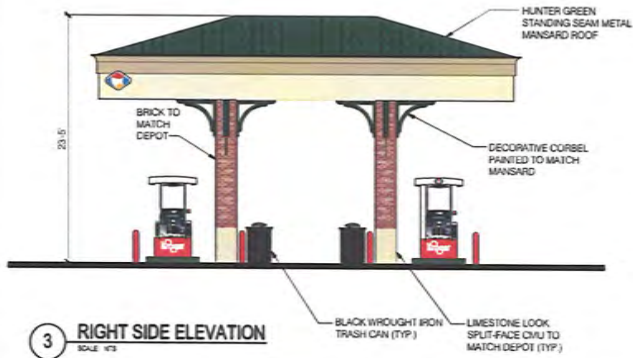


9 KROGER MONUMENT SIGN
SCALE: NTS

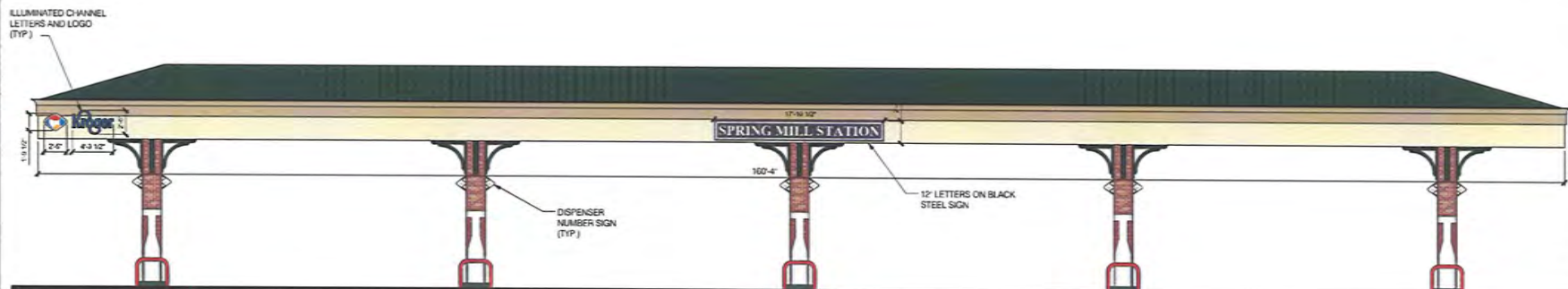
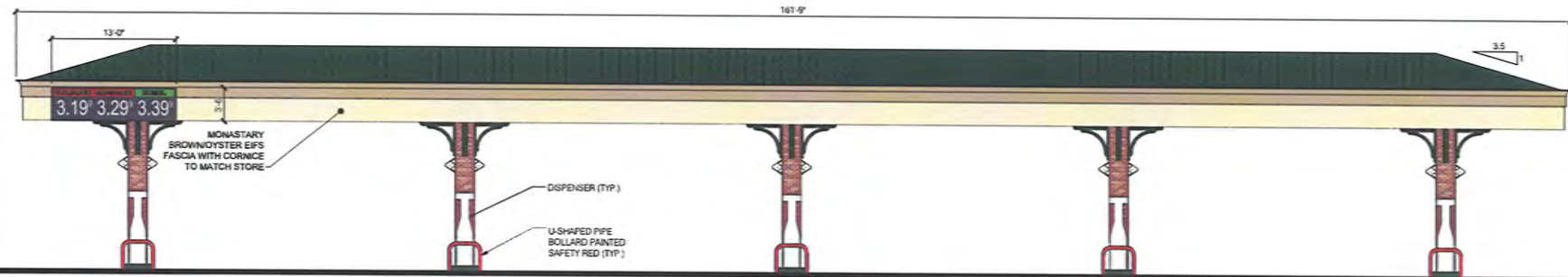


10 BIKE RACK
SCALE: NTS

REVISIONS					
No.	DATE	BY	REVISION	PROJECT NO.	014-00677-00
1	04-14-2014	ALB	ISSUED FOR PERMIT	PROJECT MANAGER:	ALB
2	05-03-2014	ALB	DESIGN REVISIONS	DESIGNED BY:	ALB
3	05-13-2014	ALB	DESIGN REVISIONS	DRAWN BY:	ALB
4	05-13-2014	ALB	DESIGN REVISIONS	CHECKED BY:	ALB
5	05-13-2014	ALB	DESIGN REVISIONS	SIGNATURE:	J 970
6	05-13-2014	ALB	DESIGN REVISIONS	DATE:	05/13/2014
PROJECT: 15001 SPRING MILL ROAD WESTFIELD, IN 46074					
DRAWING NO. "DEPOT" AND SITE DETAILS					



SIGNAGE SCHEDULE			
SGN	QUANTITY	SGN AREA (SF)	TOTAL AREA (SF)
3.19' 3.29' 3.39'	1	45.50	45.50
CHOCOLATE	3	2.80	8.40
KROGER	2	2.80	5.60
Kroger	2	10.65	21.30
SPECIAL SIGNAGE	4	17.85	71.40
MONUMENT SIGN	2	62.13	124.26
TOTAL			276.46



SSOE
SSOE, INC.
ARCHITECTS - ENGINEERS
1100 N. 10TH STREET
DALLAS, TEXAS 75201
PHONE: 214.633.6222



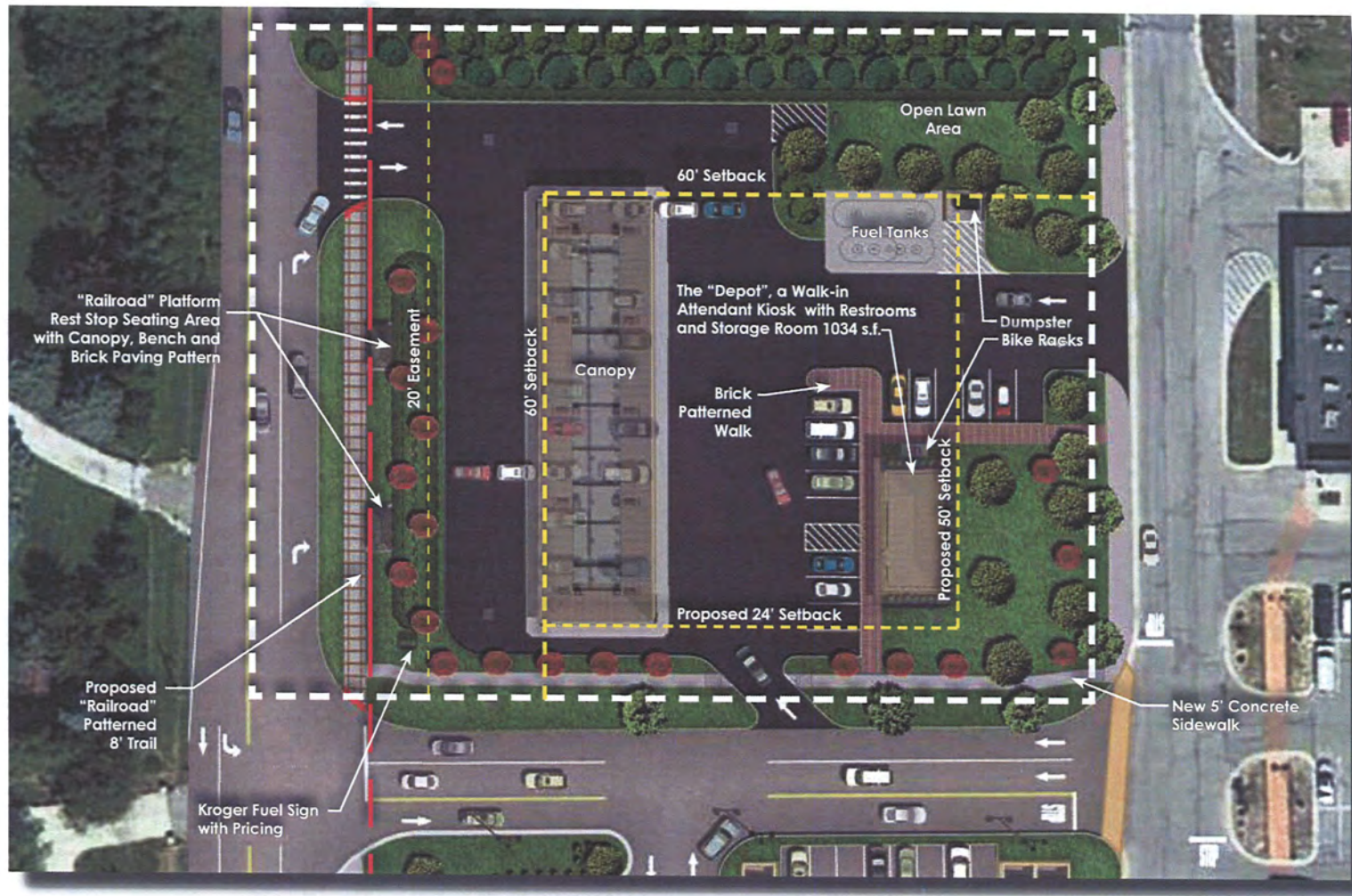
DATE	BY	REVISIONS
01-14-2014	AL/EM	1. INITIAL DESIGN
03-04-2014	AL/EM	2. OWNER REVIEW
05-13-2014	AL/EM	3. OWNER REVIEW
05-20-2014	AL/EM	4. MEETING
06-03-2014	AL/EM	5. FINAL APPROVAL

Project No: 014-06079-00
Project Manager: AL/EM
Designed By: AL/EM
Drawn By: AL/EM
Checked By: AL/EM
Scale No: **J 970**
Address: 1001 SPRING MILL ROAD
RESTFIELD, IN 46784

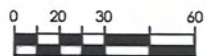
CANOPY ELEVATIONS

Drawing No:

EXHIBIT C
Conceptual Plans



North



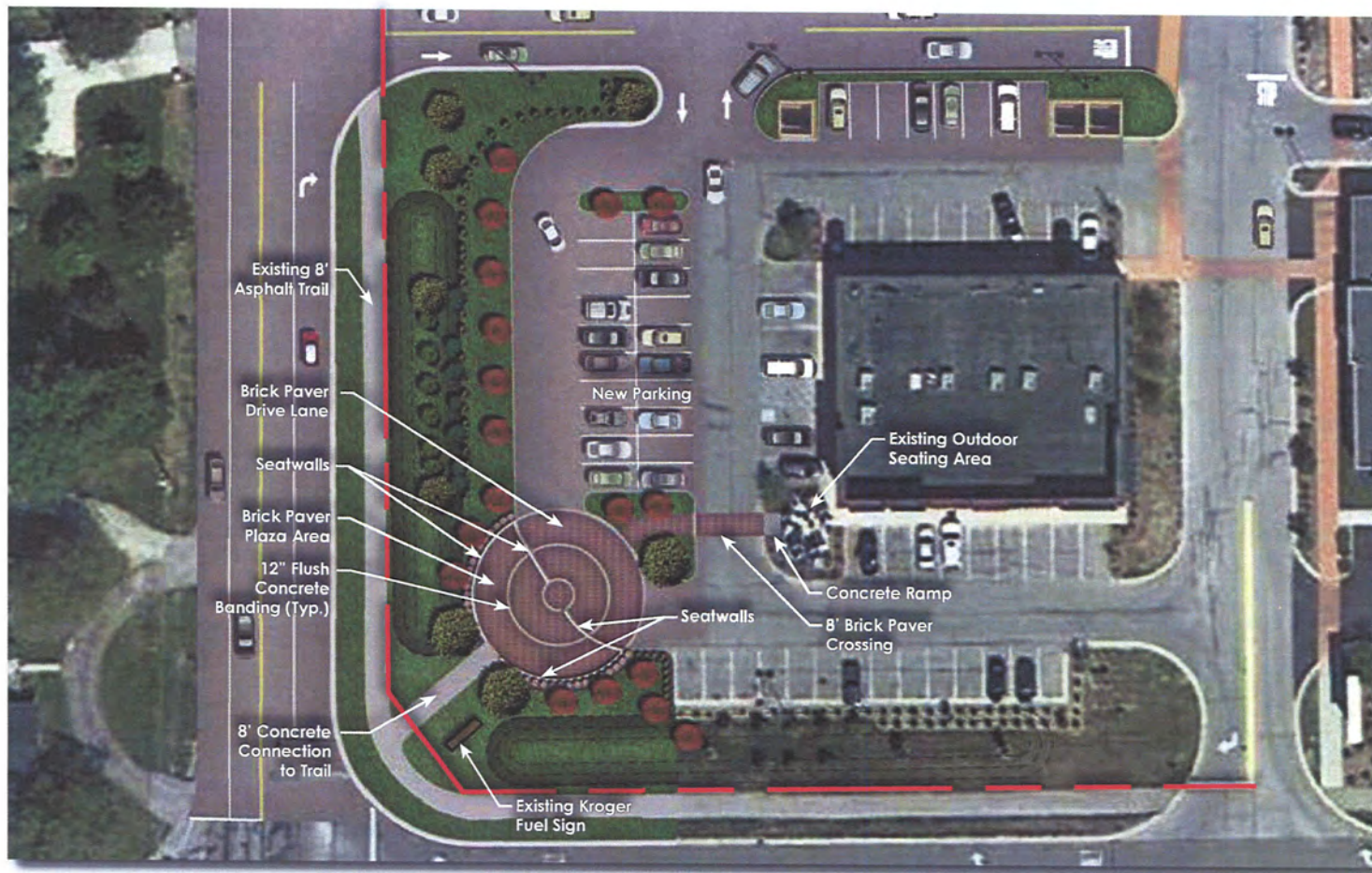
EMHT
Engineers, Surveyors, Planners, Scientists
emht.com

Exhibit C1: Proposed Depot and Fuel Center

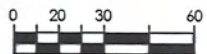
Westfield, IN Kroger

May 30, 2014





North



EMH&T
Engineers, Surveyors, Planners, Scientists
emht.com

Exhibit C2: Old Fuel Center Area Redevelopment

Westfield, IN Kroger

May 30, 2014



ORDINANCE 14-25

AN ORDINANCE TO RE-ESTABLISH A CUMULATIVE CAPITAL DEVELOPMENT FUND

WHEREAS, The City of Westfield, (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”); and,

WHEREAS, it is the duty and the responsibility of the Council to consider and adopt legislation intended to facilitate fiscal responsibility and to take advantage of the economic opportunities that are offered by the State of Indiana; and,

WHEREAS, I.C. 36-9-15.5-2. allows for the creation of a Cumulative Capital Development Fund for use by the City in its needs for purchases and that this fund is in the best interests of the citizens of Westfield; and,

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Council meeting in session as follows:

- Section 1.** That pursuant to I.C. 36-9-15.5 et. al, authorizes the creation of a Cumulative Capital Development Fund for all uses as set out and referenced in I.C. 36-9-15.5.
- Section 2.** That the City shall abide by the provisions as set out therein and the proposed fund shall not exceed \$.05 on each \$100.00 of assessed valuation. Said tax rate will be levied beginning with taxes for 2014 payable 2015.
- Section 3.** That the Mayor’s Chief of Staff shall provide proofs of publication of the public hearing held on the 14th day of July 2014 and a certified copy of this Ordinance to the Department of Local Government Finance of the State of Indiana as provided by Indiana law. Said Cumulative Fund is subject to the approval of the Department of Local Government Finance.
- Section 4.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed.

ALL OF WHICH IS ORDAINED THIS _____DAY OF _____2014.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Charles Lehman	_____ Charles Lehman	_____ Charles Lehman
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk Treasurer

I hereby certify that ORDINANCE 14-25 was delivered to the Mayor of Westfield
on the _____ day of _____, 2014, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-25

this _____ day of _____, 2014.

I hereby VETO ORDINANCE 14-25

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266

ORDINANCE 14-19

AN ORDINANCE ANNEXING CERTAIN REAL ESTATE TO THE CITY OF WESTFIELD, HAMILTON COUNTY, INDIANA

WHEREAS, the Westfield City Council (the “Council”) has the authority and desires to annex lands into the municipality as defined by Indiana Code 36-4-3; and,

WHEREAS, one hundred percent (100%) of the owners of the parcels proposed for annexation as identified in Exhibit A and Exhibit B (the “Annexation Area”) have filed a petition with the Council; and,

WHEREAS, the Council has conducted a public hearing on May 12, 2014, as required by law with regard to the annexation of the Annexation Area; and,

WHEREAS, the Council has adopted a fiscal plan for the annexation of the Annexation Area in accordance with Indiana Code 36-4-3-3.1 (Resolution 14-1##); and,

WHEREAS, the Annexation Area meets the contiguity requirements of Indiana Code 36-4-3-1.5; and,

WHEREAS, the Council now finds that the statutory criteria for annexation have been met; and,

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COUNCIL THAT THE OFFICIAL CITY MAP ADOPTED BY REFERENCE IN SECTION 2-515 OF THE WESTFIELD CODE BE MODIFIED AS FOLLOWS:

Section 1. The Annexation Area, generally located north of 206th Street and east of Oak Ridge Road, and adjacent to the existing corporate limits along the southern boundary of the Annexation Area, is hereby annexed to and declared to be a part of the City.

Section 2. The Annexation Area is to further include the contiguous public highways and rights-of-way of the public highways which are adjacent to the annexation area per Indiana Code 36-4-3-2.5.

Section 3. The Annexation Area is hereby assigned to City Council District 3 and shall become a part thereof immediately upon the effective date of this Ordinance.

Section 4. This Ordinance shall be in full force and effect upon its passage by the Council, its publication, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof in conflict herewith are hereby repealed. Any portion of the Ordinance later to be found void or invalid shall not affect the remaining portions of this Ordinance.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF
WESTFIELD, HAMILTON COUNTY, INDIANA THIS _____ DAY OF JUNE, 2014.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that **ORDINANCE 14-19** was delivered to the Mayor of Westfield
on the _____ day of _____, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

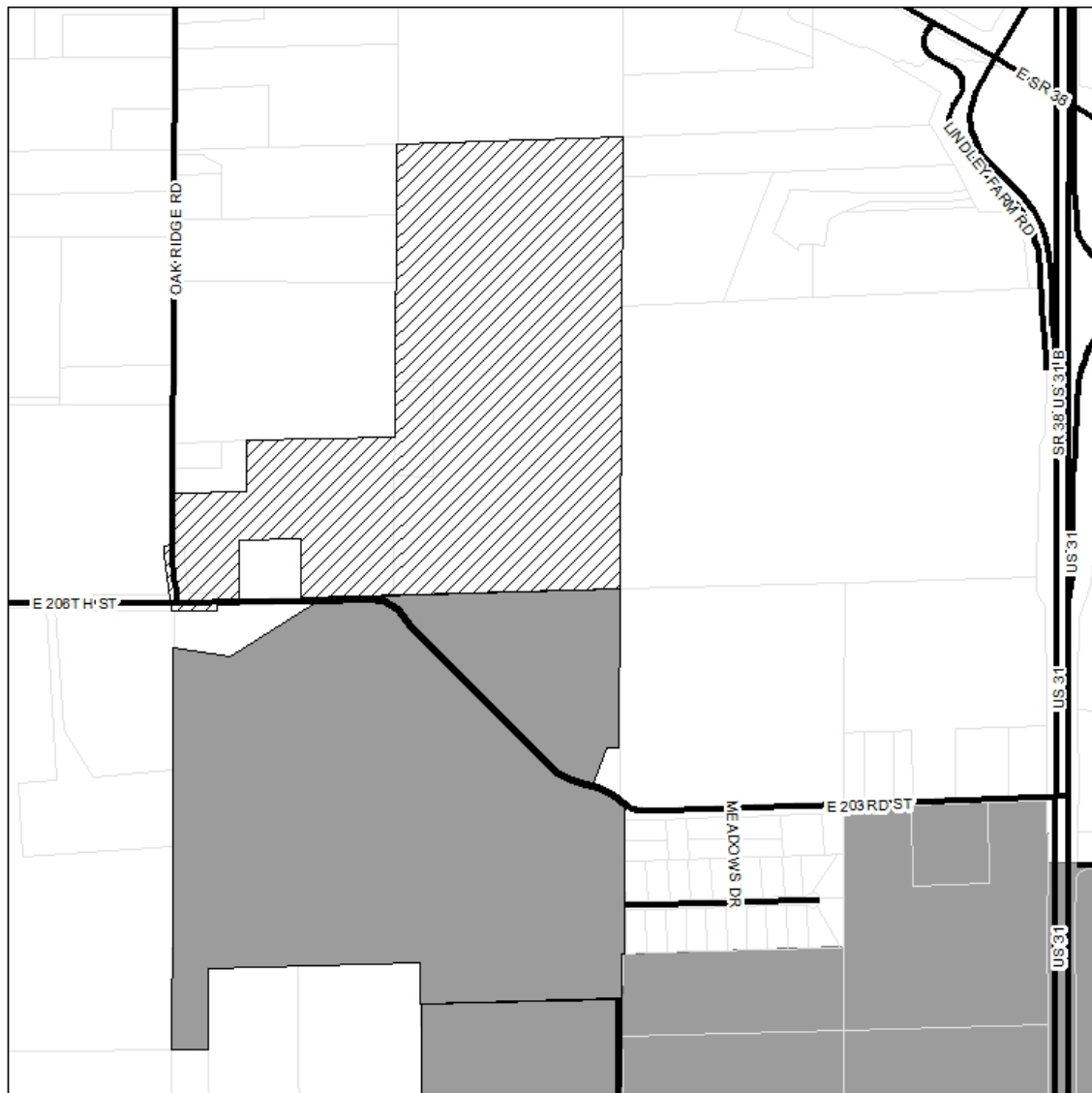
I hereby APPROVE Ordinance 14-19
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 14-19
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

EXHIBIT A ANNEXATION AREA



Not To Scale

EXHIBIT LEGEND

- | | | | |
|---|----------------------|---|---------|
|  | ANNEXATION AREA |  | PARCELS |
|  | EXISTING CITY LIMITS |  | STREETS |

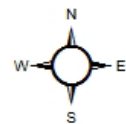


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTION

This description includes three (3) parcels of land:

Parcel No. 08-05-13-00-00-027.000

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

Parcel No. 08-05-13-00-00-027.000

Part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 335.44 feet to the northwest corner of the 0.467-acre parcel described in Instrument Number 200100054117, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing North 00 degrees 11 minutes 12 seconds East along the west line of said Southwest Quarter 307.26 feet to a point that is 148.13 feet south of the southeast corner of the 1.0-acre parcel described as Parcel II in Instrument Number 9419576, on file in the Office of said Recorder, the following two (2) courses are parallel with the south and east lines of said Parcel II; 1)thence North 88 degrees 25 minutes 07 seconds East 438.53 feet; 2)thence North 00 degrees 11 minutes 12 seconds East 298.13 feet to a point on the north line of Parcel I as described in said Instrument Number 9419576, said point being 148.13 feet east of the northeast corner of said Parcel II, the following two (2) courses are along the north and east lines of said Parcel I; 1)thence North 88 degrees 25 minutes 07 seconds East 873.47 feet; 2)thence South 00 degrees 40 minutes 12 seconds West 930.75 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 545.43 feet to the east line of the 3.00-acre parcel described in Instrument Number 9563173, on file in the Office of said Recorder, the following three (3) courses are along the east, north and west lines thereof; 1)thence North 00 degrees 11 minutes 12 seconds East 344.80 feet; 2)thence South 89 degrees 06 minutes 56 seconds West 363.00 feet; 3)thence South 00 degrees 11 minutes 12 seconds West 352.10 feet to the south line of said Southwest Quarter; thence South 87 degrees 57 minutes 50 seconds West along said south line 141.52 feet to the west line of said 0.467-acre parcel, the following six (6) courses are along the west and north lines thereof; 1)thence North 00 degrees 10 minutes 28 seconds West 44.59 feet; 2)thence South 89 degrees 49 minutes 32 seconds West 165.62 feet; 3)thence North 09 degrees 13 minutes 08 seconds West 95.60 feet to the point of curve of a non tangent curve concave to the east, having a radius of 940.00 feet, the radius point of which bears North 80 degrees 46 minutes 53 seconds East; 4)thence northerly along said curve a distance of 154.30 feet to a point that bears North 89 degrees 48 minutes 49 seconds West from said radius point; 5)thence North 00 degrees 11 minutes 12 seconds East 34.10 feet; 6)thence North 89 degrees 48 minutes 48 seconds West 60.00 feet to the POINT OF BEGINNING. Containing 21.45 acres, more or less.

ALSO INCLUDING:

Parcel No. 08-05-13-00-00-026.000

Parcel No. 08-05-13-00-00-026.001

The East Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the SE corner of said Southwest Quarter, the following four (4) courses are along the south, west, north and east lines of said East Half; 1)thence South 87 degrees 57 minutes 50 seconds West (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 1,322.01 feet; 2)thence North 00 degrees 16 minutes 25 seconds East 2,660.92 feet; 3)thence North 88 degrees 15 minutes 49 seconds East 1,325.81 feet; 4)thence South 00 degrees 21 minutes 41 seconds West 2,654.14 feet to the POINT OF BEGINNING. Containing 80.71 acres, more or less.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206th Street and Oak Ridge Road.

WESTFIELD-WASHINGTON TOWNSHIP UNIFIED DEVELOPMENT ORDINANCE



WESTFIELD ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
2728 EAST 171ST STREET, WESTFIELD, INDIANA 46074 | www.westfield.in.gov

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2.1 Title

- A. **Title:** This ordinance shall be formally known as the “Westfield-Washington Township Unified Development Ordinance,” and may be cited and referred to as the “Zoning Ordinance,” “Subdivision Control Ordinance,” or “Unified Development Ordinance” (herein referred to as this “Ordinance”).
- B. **Repealer:** This Unified Development Ordinance is hereby incorporated by reference into the Code of Ordinances, City of Westfield, Indiana, and hereby replaces and repeals all prior Zoning Ordinances, Subdivision Control Ordinances and Building Codes for the Township including, but not limited to: the Westfield-Washington Township Comprehensive Zoning Ordinance of 1977, as amended by Ordinance Number 95-8, the Comprehensive Zoning Ordinance of Westfield-Washington Township, Ordinance No. 1977-202, as amended, the Zoning Ordinance of the Town of Westfield, Indiana, Ordinance Number 1965-1, as amended, the Improvement Location Permit Ordinance of the Town of Westfield, Indiana, Ordinance Number 1965-2, as amended, the Building Code of the Town of Westfield, Indiana, Ordinance Number 95-20, as amended, and the Subdivision Control Ordinance of the Town of Westfield, Indiana, Ordinance Number 1965-3, as amended, passed by the Board of Trustees of the Town of Westfield, Indiana, Hamilton County, Indiana, in June 1965.
- C. **Location of Ordinance:** In accordance with Indiana law, copies of this Ordinance shall be maintained on file in the office of the City’s Clerk/Treasurer and the Department, and kept on file for public inspection as required by Indiana law. The office of the Clerk/Treasurer and the Department shall keep additional copies of this Ordinance for the purpose of sale or distribution.

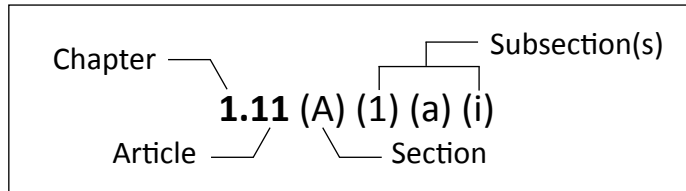
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CHAPTER 2

2.2 Ordinance Format / Quick Links

A. **Format:** The structure of the text of this Ordinance is as follows:

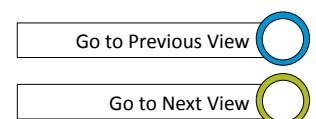
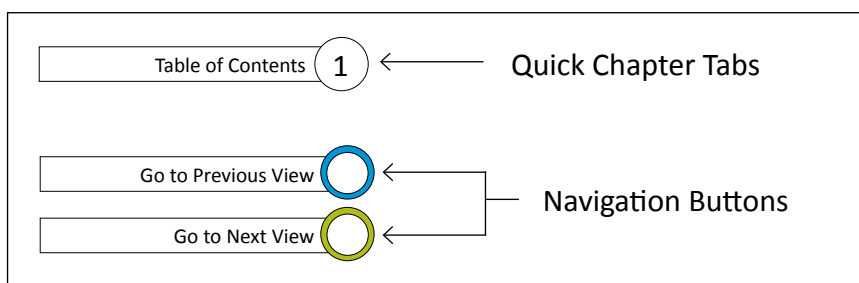


B. **How to Use Hyper-Linked Cross-References:**

1. **Electronic Format:** If used in the electronic format, certain aspects of this document allow the user to quickly navigate the document by clicking on hyperlinks and quick access chapter tabs.
2. **Quick Chapter Tab Links:** Clicking on the Chapter Title in the tabs located in the right margin will direct the user to that chapter's table of contents.
3. **Chapter Table of Contents:** The Article headings located in the table of contents at the beginning of each Chapter may be clicked to direct the user to that Article within the Chapter.
4. **Navigation Buttons:** The "Go to Previous View" and "Go to Next View" buttons allow the user to navigate forward and backward to pages previously viewed.
5. **Zoning Districts:** *Zoning District* names that appear within this document are *colored and emphasized in italics* and may be clicked to direct the user to the Zoning District's standards in **CHAPTER 4: ZONING DISTRICTS** of this Ordinance.
6. **Article Cross-References:** In-line text cross-references to other Articles within this document are *colored and emphasized in italics*. Clicking on the emphasized text will direct the user to the cross-referenced Article.
7. **Hyperlink Cross-References:** This document includes cross-references to documents and websites outside of this document. These links are provided for convenience only and the City does not guarantee the accuracy of these links or its content, nor that the links will work all the time. These cross-references are *colored and underlined*. Clicking on the text in the emphasized cross-reference will direct the user to the document or link.



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2.3 Authority and Purpose

- A. **Authority:** This Ordinance is adopted by the City pursuant to its authority under the laws of the State of Indiana, [I.C. 37-7-4 et seq.](#) as a Unified Development Ordinance, combining the Zoning and Subdivision Control Ordinances into a single book and code title. Whenever codes cited in this Ordinance refer to Indiana Code ("I.C." or "Indiana Code") or Indiana Administrative Code ("I.A.C.") which has been amended or superseded, then this Ordinance shall be deemed amended in reference to the new or revised code.
- B. **Jurisdiction:** This Ordinance shall apply to all land within Washington Township and all land incorporated into the City, to the extent permitted under Federal and Indiana law, except for those areas incorporated into another city or town.
- C. **Purpose:** This Ordinance is intended to guide the growth and development of the community in accordance with the Comprehensive Plan for the following purposes (consistent with [I.C. 36-7-4-601\(c\)](#)):
1. **Adequate Facilities:** To secure adequate light, air, and convenience of access; and provide safety from fire, flood, and other dangers.
 2. **Public Safety:** To promote the public health, safety, convenience, and general welfare of the community.
 3. **Future Development:** To plan for the future development of the community to the end that:
 - a. The community grows with adequate public ways, utilities, health, education, and recreation facilities;
 - b. The needs of agriculture, industry, and business be recognized in future growth;
 - c. Residential areas provide healthful surroundings for family life; and
 - d. The growth of the community is commensurate with and promotes the efficient and economical use of public funds.
- D. **Amendments:** All amendments to this Ordinance shall be in conformance with the provisions of Indiana law.

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2.4 Interpretation & Application

- A. **Compliance:** No structure shall be located, erected, constructed, reconstructed, moved, altered, converted, enlarged or used, nor shall any piece of land be used, nor shall any existing use be expanded except when in full compliance with all provisions of this Ordinance and the permits and certificates required by this Ordinance have been lawfully issued. See also [CHAPTER 9: NONCONFORMING REGULATIONS](#) and [CHAPTER 10: PROCESSES & PERMITS](#).
- B. **Conflicting Requirements:** The provisions of this Ordinance shall be the minimum requirements for the protection of the health, safety, comfort, convenience, and general welfare of the people at large, and are designed

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to encourage the establishment and maintenance of reasonable community standards for the physical environment. If two or more provisions within this Ordinance are in conflict or are inconsistent with one another, then the provision which is most restrictive shall control.

- C. **Overlapping Regulations:** It is not intended by this Ordinance to interfere with, abrogate, or annul any easements, covenants, commitments, permits, state laws, Federal laws or other agreements between parties; nor any chapters, rules, regulations or permits previously adopted or issued, or which shall be adopted or issued and which are not in conflict with any of the provisions of this Ordinance; except that, where this Ordinance imposes a greater restriction upon the use of buildings or land, or upon the building Height, or requires larger Open Spaces or greater Lot Area per Family or Dwelling Unit, than are required or imposed by such easements, covenants, commitments, permits, Indiana laws, Federal laws or agreements between parties, or by such chapter, rules, regulations or permits, then the provisions of this Ordinance shall control.
- D. **Severability:** If any provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any portion thereof, other than the portion so declared invalid.
- E. **Defined Words:** Words used in a special sense in this Ordinance are defined in [Article 12.1 Definitions](#). All other words shall have the meaning inferred from their context in this Ordinance or their ordinarily accepted definitions.
- F. **Meanings:** The following rules of construction shall apply to the text of this Ordinance:
1. The particular and specific provisions of this Ordinance shall supersede any general requirements that are established by it.
 2. The words “shall” and “will” are always mandatory requirements and not discretionary. The word “may” is permissive. The word “should” is a preferred and discretionary requirement.
 3. Words used in the present tense include the future; and words used in the singular number include the plural; and the plural includes the singular; words of the masculine gender include the feminine and the neuter gender will refer to any gender as required, unless the context plainly indicates the contrary.
 4. The phrase “used for” includes “arranged for, designed for, intended for, maintained for, or occupied for.”
 5. The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
 6. Unless it is plainly evident from the context that a different meaning is intended, a regulation which involves two (2) or more items, conditions, provisions, or events connected by the conjunction “and, or,” or “either . . . or,” the use of the conjunction is defined as follows:

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- a. “And” means that all the connected items, conditions, provisions, and events apply together and not separately.
 - b. “Or” means that the connected items, conditions, provisions, or events apply separately or in any combination.
 - c. “Either . . . or” means that the connected items, conditions, provisions, or events shall apply separately but not in combination.
7. The word “includes” does not limit a term to the specified examples, but is intended to extend the term’s meaning to all other instances or circumstances of like kind or character.
 8. The word “Township” means Washington Township, the word “City” means the City of Westfield, the word “County” means Hamilton County, Indiana, the word “State” means the State of Indiana, and the word “Department” means the City of Westfield Economic and Community Development Department.

2.5 Building Code

- A. **Title:** This Article shall be known as the “City Building Code” and may be formally cited as the “Building Code of Westfield, Indiana.”
- B. **Purpose:** The City Building Code is intended to provide minimum standards for the protection of life, health, environment, public safety and general welfare, and for the conservation of energy in design and construction of buildings and structures.
- C. **Applicability:** The City Building Code shall regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, maintenance, electricity, plumbing, heating, ventilation and air conditioning of all public and private buildings or structures within the Jurisdiction of the Plan Commission. The Department administrates the issuance of Building Permits, the collection of fees therefore, and penalties for the violation thereof, as set forth herein.
- D. **Permit Required:** No persons, firms, or corporations shall erect, construct, enlarge, alter, move, remove, improve, convert, or demolish any building or structure within the Jurisdiction of the Plan Commission, or cause the same to be done, until first having obtained a separate permit (see [Article 10.8 Improvement Location Permit](#)) for each such building or structure from the Department, who may require plans thereof, together with a statement of materials to be used. Such permit shall be posted on or near the structure during the entire duration of construction and shall be the original card issued by the Department.
- E. **Content of Building Code:** Certain documents, copies of which are on file in the Office of the Department and the Office of the City’s Clerk-Treasurer, being marked and designated as INTERNATIONAL BUILDING CODE, INTERNATIONAL FIRE CODE, 2006 EDITION AS ADOPTED BY REFERENCE IN INDIANA CODE AND ALL AMENDMENTS TO THE INDIANA FIRE SAFETY LAWS AND BUILDING LAWS; NATIONAL ELECTRICAL CODE AND INDIANA

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AMENDMENTS; UNIFORM PLUMBING CODE AND INDIANA AMENDMENTS; INTERNATIONAL MECHANICAL CODE AND INDIANA AMENDMENTS; INDIANA BUILDING CODE CHAPTER 11; ACCESSIBILITY; AND INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO-FAMILY DWELLINGS AND INDIANA AMENDMENTS; THE INDIANA ENERGY CONSERVATION RULES FOR NEW CONSTRUCTION AND THE INDIANA SWIMMING POOL RULES shall be and the same are hereby adopted as the City's Building Code for regulation, the erection, construction, enlargement, alteration, repair, moving, removal, maintenance, fire prevention and safety, electricity, plumbing, heating, ventilation and air conditioning of all public and private buildings and structures within the Jurisdiction of the Plan Commission as set forth herein; and all rules and regulations as provided by the Fire Safety Division of the Indiana Homeland Security as above referenced to, as now on file in the offices referred to and are hereby adopted including all amendments by the Fire and Building Safety Commission and made a part hereof as if fully set out in this Ordinance.

2.6 Public Utility Installations

- A. Structures and land used for Public Utility Installations shall be subject to the provisions of this Ordinance to the extent permitted under Indiana law.
- B. All structures for a Public Utility Installation, including substations, shall be effectively landscaped and shall require approval of a Development Plan (see [Article 10.7 Development Plan Review](#)) and Improvement Location Permit (see [Article 10.8 Improvement Location Permit](#)).

2.7 Mineral Extraction Exempt

In accordance with [I.C. 36-7-4-1103](#), nothing herein shall prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by a Property Owner or alienee of them. For the purpose of this Article, an urban area shall include: (i) all lands and lots within the corporate boundaries of a municipality; (ii) any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area; and, (iii) other lands or lots that have been or are planned for residential areas contiguous to the municipality.

2.8 Zoning Map

- A. **Official Zoning Map:** The zoning map for the Jurisdiction of the Plan Commission in effect on the date of adoption of this Ordinance is hereby included as part of this Ordinance. The map may be known and referred to as the "Official Zoning Map" and as the "Zoning Map".
- B. **Official Zoning Map Copies:** Copies of the Official Zoning Map may be made and distributed to interested persons. The Official Zoning Map copies shall be labeled as copies and have the date which they were last modified printed on them. A fee may be established for the purchase of Official Zoning Map copies.

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- C. **Location of the Official Zoning Map:** The Official Zoning Map will be located in the office of the Department and may be maintained as an [electronic zoning map](#).
- D. **Determination and Interpretation of District Boundaries:** The following rules shall apply where uncertainty exists as to the exact boundaries of any Zoning District as shown on the Zoning Map:
1. Zoning District boundaries shown within or parallel to the lines of Streets, easements, and Rights-of-way shall be deemed to follow the centerline of the affected Street, easement, or Right-of-way.
 2. Zoning District boundaries shown within or parallel to the lines of Streets, easements, and Rights-of-way at the boundaries of the Jurisdiction of the Plan Commission shall be deemed to include the full width of such Streets, easements, and Rights-of-way.
 3. Zoning District boundaries indicated as following or being parallel to section or fractional sectional lines, Lot Lines, or City corporation lines shall be construed as following or paralleling such lines.
 4. Zoning District boundaries indicated as approximately following the centerline of streams, rivers, or other bodies of water shall be construed to follow such centerlines.
 5. Zoning District boundaries indicated as approximately following the parcel lines as established by the County Office of Transfer and Mapping shall be construed to follow such parcel lines.
 6. In the case of uncertainty, the Director shall interpret the intent of the Zoning Map and determine the location of the boundary in question. If the Director cannot definitively determine the location of a Zoning District boundary, then the Board of Zoning Appeals may then determine the location of the Zoning District boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Ordinance.
- E. **Regular Revisions:** The Official Zoning Map should be formally revised annually, or otherwise as the Plan Commission determines necessary.
- F. **Procedure Relating to Annexed or Vacated Areas:** Land which may hereafter be annexed into the City shall remain as zoned, unless changed by an amendment to this Ordinance. Whenever any Right-of-way or other similar area is vacated by proper authority, the Zoning Districts adjoining each side of such Right-of-way or similar area shall be extended automatically to the center of such vacation and all areas included in the vacation shall then and thenceforth be subject to all appropriate provisions of the extended Zoning District(s). In the event of a partial vacation, the adjoining Zoning District, or Zoning District nearest the portion vacated, shall be extended automatically to include all of the vacated area.

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2.9 Chapter Amendment Log

Ordinance No.	Docket No.	Council Approved	Effective Date	Sections Affected



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3.1 General Administration

- A. **Fee Schedule:** Filing fees for applications and petitions filed pursuant to this Ordinance are set forth in the [Fee Schedule](#). The Fee Schedule is established by resolution of the Council. Copies of the Fee Schedule shall be available in the office of the City Clerk/Treasurer and in the office of the Department.
1. **Impact Fees:** The Road and Street Improvement Impact Fee and Parks and Recreation Impact Fee (collectively, the “Impact Fees”) applicable to the Jurisdiction of the Plan Commission and found in the [Westfield Code of Ordinances; Chapter 40](#), as amended, are hereby incorporated by reference into this Ordinance.
 2. **Exemptions:** Fees may be waived in accordance with the [Westfield Code of Ordinances; Chapter 2-436 et seq.](#), as amended.
- B. **Schedule of Meeting and Filing Dates:** The Department shall maintain an annual Schedule of Meeting and Filing Dates for the [Technical Advisory Committee](#), [Plan Commission](#), and [Board of Zoning Appeals](#). Modifications of filing dates are contemplated if determined reasonable by the Department. The existence of this calendar shall not be interpreted as prohibiting special meetings or changes of meeting dates by the Technical Advisory Committee, Plan Commission, or Board of Zoning Appeals. The Schedule of Meeting and Filing Dates shall be made available in the office of the Department.
- C. **Summary of Authority:** The decision-making bodies and officials described herein, without limitation upon such authority as each may possess by local and Indiana law, each has responsibility for implementing, and administering this Ordinance in the manner described herein.

3.2 Board of Zoning Appeals

A Board of Zoning Appeals (the “Board”) is hereby established with membership and appointment provided in accordance with Indiana law and all acts now or hereafter amendatory thereto. The powers and duties of the Board are defined by Indiana law and are generally described below.

- A. **General Duties:**
1. The Board shall adopt rules and regulations (“[Rules of Procedure of the Board](#)”) as it may deem necessary to effectuate the provisions of this Ordinance.
 2. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, keep records of its examinations and other official actions, prepare findings, and record the vote of each member voting upon each question. All minutes and records shall be filed in the office of the Department and shall be a public record.
- B. **Appeals of Administrative Decisions:**
1. Any decision of the Director in enforcement or application of this Ordinance may be appealed to the Board by any person claiming to be adversely affected by such decision.

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2. The Board shall hear and determine appeals from and review any order, requirement, decision or determination made by the Director in the enforcement of this Ordinance (see also [Article 10.3 Appeals of Administrative Decisions](#)).
 3. In exercising its powers, the Board may reverse or affirm wholly or partly, or may modify the order, requirements, decisions or determination appealed from as in its opinion ought to be done in the premises, and to that end shall have all the powers of the Director from whom the appeal is taken.
 4. Every decision of the Board shall be subject to review pursuant to [I.C. 36-7-4-1016](#).
- C. **Special Exceptions:** The Board shall approve or deny all special exceptions in accordance with this Ordinance, but only in the particular situations specified herein. The Board may impose reasonable conditions as a part of its approval (see also [Article 10.11 Special Exceptions](#)).
- D. **Variances of Use:** The Board shall approve or deny variances of land use in accordance with this Ordinance (see also [Article 10.14 Variances](#)).
- E. **Variances of Development Standards:** The Board shall approve or deny variances from the development standards of this Ordinance in accordance with this Ordinance (see also [Article 10.14 Variances](#)).
- F. **Floodplain:** The Board shall be governed by the provisions of this Ordinance concerning variances applicable to the [Floodplain District \(FPD\)](#).

3.3 Common Council

The powers and duties of the Common Council of the City of Westfield, Hamilton County, Indiana (the "Council"), with regard to this Ordinance are defined by Indiana law and generally described below.

- A. **Duties:** Duties should be interpreted as activities that are obligations and generally include:
1. **Plans and Ordinances:** Adopt, reject, or amend the Comprehensive Plan, any other plans, the Zoning Ordinance, and the Subdivision Control Ordinance (collectively, the Unified Development Ordinance) as certified and submitted by the Plan Commission.
 2. **Plan and Ordinance Amendments:** Adopt, reject, or amend proposals to amend or partially repeal the text of the Comprehensive Plan, any other plans, the Unified Development Ordinance as certified and submitted by the Plan Commission.
 3. **Zoning Map Amendments:** Adopt, reject, or amend proposals to amend the Official Zoning Map certified by the Plan Commission (see also [Article 10.15 Zoning Map Changes \(Rezones\)](#)).
 4. **Planned Unit Developments:** Adopt, reject, or amend proposals for Planned Unit Development Districts as certified by the Plan Commission (see also [Article 10.9 Planned Unit Development Districts](#)).

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5. **Fee Schedule:** Adopt, reject, or amend proposals to adopt or amend a Fee Schedule (see also [Article 3.1 General Administration](#)).
 6. **Other Duties:** All additional duties as established by Indiana law.
- B. **Powers:** Powers should be interpreted as activities that are optional and may be initiated by the Council and include:
1. **Plan and Ordinance Amendments:** Initiate amendments to the text of the Comprehensive Plan, any other plans, the Unified Development Ordinance.
 2. **Zoning Map Amendments:** Initiate amendments to the Zoning Map.
 3. **Other Powers:** To take such other actions not delegated to other bodies that may be desirable and necessary to implement the provisions of this Ordinance and all additional powers as permitted by Indiana law.

3.4 Director of the Department

- A. **Administrative Officer:** It shall be the duty of the Director of the Economic and Community Development Department (the “Director”) to enforce and render interpretations of the provisions of this Ordinance and receive applications required by this Ordinance, issue permits, and furnish the prescribed certificates.
- B. **Department Duties:** The Director, and/or their designee, shall in connection with the implementation of this Ordinance and in accordance with Indiana law:
1. Maintain a Council approved Comprehensive Plan and this Ordinance, as authorized under Indiana law.
 2. Maintain rules of procedures for holding meetings, holding public hearings, and enforcing the Comprehensive Plan and this Ordinance.
 3. Maintain complete records of all meetings, hearings, correspondences, and affairs of the Plan Commission.
 4. Publish and make available to the public all plans, ordinances, and other related material that are the responsibility of the Plan Commission. All such records shall be open to public inspection during the Department’s normal hours of business.
 5. Maintain a permitting process and seal used to certify official or approved documents. Keep careful and comprehensive records of applications, of permits issued, of certificates issued, or inspections made, or reports rendered, and of notices or orders issued. Retain on file, copies of all documents in connection with building work so long as any part of the building or structure to which they relate may be in existence.
 6. Examine premises for which permits have been issued, and shall make necessary inspections to see that the provisions of law are complied with.
 7. Enforce laws relating to the construction, alteration, repair, removal,

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demolition, equipment, use and occupancy, location and maintenance of buildings, structures and land, except as may be otherwise provided for in local or Indiana law.

8. Issue such notices or orders as may be necessary for the purpose of enforcing compliance with law or for the purpose of preventing a violation of provisions of this Ordinance.
9. Other duties set forth herein or that may be delegated by the Plan Commission or Council.

3.5 Floodplain Administrator

The Floodplain Administrator (the “Administrator”) and/or designated staff of the Department is hereby authorized and directed to enforce and implement the provisions of the *Floodplain District (FPD)* set forth herein.

- A. **Duties of the Administrator:** Ensure that all developmental activities within the Special Flood Hazard Areas (“SFHA”) of the Jurisdiction of the Plan Commission meet the requirements of this Ordinance.
1. Provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques.
 2. Ensure that construction authorization has been granted by the Indiana Natural Resources Commission for all development projects subject to *Article 5.5 Floodplain District (FPD)* of this Ordinance, and maintain a record of such authorization (either copy of actual permit or floodplain analysis/regulatory assessment).
 3. Maintain a record of the “as built” elevation of the top of the lowest floor (including Basement) of all new and/or substantially improved buildings constructed in the SFHA. Inspect before, during and after construction.
 4. Maintain a record of the engineer’s certificate and the “as built” flood-proofed elevation of all buildings subject to *Article 5.5 Floodplain District (FPD)* of this Ordinance.
 5. Cooperate with state and federal floodplain management agencies to improve base flood and floodway data and to improve the administration of this ordinance. Submit reports as required for the National Flood Insurance Program.
 6. Maintain for public inspection and furnish upon request regulatory flood data, SFHA maps, Letters of Map Amendment (“LOMA”), Letters of Map Revision (“LOMR”), copies of DNR permits and floodplain analysis/regulatory assessment, federal permit documents, and “as built” elevation and flood proofing data for all buildings constructed subject to *Article 5.5 Floodplain District (FPD)*.
 7. Notify adjacent communities and the state coordinating office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to Federal Emergency Management Agency (“FEMA”).

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3.6 Plan Commission

The powers and duties of the Westfield-Washington Township Advisory Plan Commission (the “Plan Commission”) are defined by Indiana law and are generally described below. The Plan Commission may delegate its authority to the Department or a committee to perform ministerial acts except where final action of the Plan Commission is necessary.

A. **Duties:** Duties should be interpreted as activities that are obligations and generally include:

1. Adopt and maintain a Council approved Comprehensive Plan and Unified Development Ordinance as authorized under Indiana law.
2. Adopt and maintain rules and procedures for holding meetings (“[Rules of Procedure of the Plan Commission](#)”), holding public hearings, and administering and enforcing the Comprehensive Plan, and Unified Development Ordinance.
3. Maintain complete records of all meetings, hearings, correspondences, and affairs of the Plan Commission.
4. Publish and make available to the public all plans, ordinances, and other related material that are the responsibility of the Plan Commission.
5. Certify and submit recommendations to the Council including new versions of and revisions to the Comprehensive Plan, Unified Development Ordinance, and Zoning Map (see also [Article 10.15 Zoning Map Changes \(Rezoning\)](#)).
6. Certify and submit recommendations to the Council for adopting a Planned Unit Development District (see also [Article 10.9 Planned Unit Development Districts](#)).
7. Approve or deny plats or replats of Subdivisions (see also [Article 10.12 Subdivision](#)).
8. Approve or deny requests for waivers pursuant to this Ordinance (see also [Article 7.3 Principles and Standards of Design](#)).
9. Approve or deny Development Plans and amendments to Development Plans (see also [Article 10.7 Development Plan Review](#)).
10. Enforce regulations and procedures of the Comprehensive Plan and Unified Development Ordinance to the extent of the local resolutions, ordinances, and Indiana law.
11. Other duties as permitted by Indiana law.

B. **Powers:** Powers should be interpreted as activities that are optional to be initiated and include:

1. Distribute copies or summaries of the Comprehensive Plan or this Ordinance to the general public and development community.
2. Other powers as permitted by Indiana law.

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3.7 Technical Advisory Committee

The powers and duties of the Westfield-Washington Township Technical Advisory Committee (“TAC”) are as generally described below.

- A. **Establishment and Membership:** The Technical Advisory Committee is hereby created and shall consist of members, as invited by the Director, which may include utility agencies, County departments, City departments and other agencies or consultants deemed appropriate by the Director.
- B. **Jurisdiction and Authority:** The Technical Advisory Committee has the following powers and duties in connection with the implementation of this Ordinance:
 1. To review and evaluate applications for variances or waivers and make recommendations to the Board or Plan Commission, pursuant to the procedures and standards for variances or waivers set forth herein.
 2. To review and evaluate Development Plans and site plans, and make recommendations to the Board or Plan Commission as may be appropriate, pursuant to the procedures and standards set forth herein.
 3. To take such other actions as delegated by the Director, Council, Plan Commission, Board, or other bodies which may be desirable and necessary to implement the provisions of this Ordinance.



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3.8 Chapter Amendment Log

Ordinance No.	Docket No.	Council Approved	Effective Date	Sections Affected



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4.1 Establishment of Districts

A. Land within the Jurisdiction of the Plan Commission is hereby classified and divided into the following Zoning Districts:

1. Agricultural Districts:

- a. *AG-SF1: Agriculture / Single-Family Rural District*
- b. *AG-SF1-I: Agriculture / Single-Family Westfield District*

2. Single-family Districts:

- a. *SF1: Single-Family Large Lot District*
- b. *SF2: Single-Family Low Density District*
- c. *SF3: Single-Family Medium Density District*
- d. *SF4: Single-Family High Density District*
- e. *SF5: Single-Family High Density District (villages)*

3. Multi-family Districts:

- a. *SFA: Single-Family Attached District*
- b. *MF1: Multi-Family Low Density District*
- c. *MF2: Multi-Family Medium Density District*

4. Business Districts:

- a. *GO: General Office District*
- b. *GO-PD: General Office / Planned Development*
- c. *LB: Local and Neighborhood Business District*
- d. *LB-H: Local Business / Historical District*
- e. *GB: General Business District*
- f. *SB-PD: Special Business / Planned Development*

5. Industrial Districts:

- a. *EI: Enclosed Industrial District*
- b. *EI-PD: Enclosed Industrial / Planned Development*
- c. *OI: Open Industrial District*
- d. *OI-PD: Open Industrial / Planned Development*

6. [reserved for future]:

- a. *[reserved for future use]*
- b. *[reserved for future use]*
- c. *[reserved for future use]*
- d. *[reserved for future use]*
- e. *[reserved for future use]*

7. Overlay Districts: See [CHAPTER 5: OVERLAY DISTRICTS](#).

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4.2 AG-SF1: Agriculture / Single-Family Rural District

- A. **Purpose and Intent:** The purpose of this district is to accommodate agricultural land uses and large-lot Single-family Dwellings.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:** Three (3) acres
- D. **Minimum Lot Frontage:** 250 feet
- E. **Minimum Building Setback Line:**
 - 1. Front Yard:
 - a. Expressways/Arterials: 100 feet
 - b. On all other Streets: 80 feet
 - 2. Side and Rear Yard: 30 feet
- F. **Minimum Lot Width:** 100 feet
- G. **Maximum Building Height:** Two and one-half (2 ½) stories or 35 feet, whichever is lower. See also [Article 6.6 Height Standards](#).
- H. **Minimum Living Area (Ground Floor):**
 - 1. Single story: 1,350 square feet
 - 2. All others: 800 square feet
- I. **Subdivisions:** A Major Subdivision shall not be permitted in this district.
- J. **Development Plan Review:** Required except for Single Family Detached Dwellings, Agricultural Uses, and associated Accessory Uses.
- K. **Agriculture-Related Buildings:** See also [Article 6.1 Accessory Use and Building Standards](#) and [Article 6.4 Building Standards](#).

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
Article 6.9 Lighting Standards	Article 10.8 Improvement Location Permit
Article 6.14 Parking and Loading Standards	Article 10.12 Subdivision

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4.3 AG-SF1-I: Agriculture / Single-Family Westfield District

- A. **Purpose and Intent:** The purpose of this district is to accommodate Single-family Dwellings not in a Subdivision and that have been annexed into the corporate limits of the City and served by public sanitary sewer and water.
- B. **Permitted Uses:** The following uses shall be permitted:
1. Single Family Dwelling
 2. Religious Institutions
 3. Home Business
 4. Residential Facility
 5. Public Safety and Service Uses
- C. **Minimum Lot Area:** 20,000 square feet
- D. **Minimum Lot Frontage:** 100 feet
- E. **Minimum Building Setback Lines:**
1. Front Yard: 50 feet
 2. Side Yard: 12 feet
 3. Rear Yard: 30 feet
- F. **Minimum Lot Width:** 85 feet
- G. **Maximum Building Height:** Two and one-half stories (2 ½) or 35 feet, whichever is lower.
- H. **Minimum Living Area (Ground Floor):**
1. Single story: 1,350 square feet
 2. Two-story: 800 square feet
 3. Tri-level: 800 square feet (Basement and first level)
 4. Story and one-half: 800 square feet
- I. **Development Plan Review:** Required for Major Subdivisions.

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
Article 6.9 Lighting Standards	Article 10.8 Improvement Location Permit
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CHAPTER 4



4.4 SF1: Single-Family Large Lot District

- A. **Purpose and Intent:** The purpose of this district is to accommodate large-lot Single-family Dwellings and uses where public sanitary sewer and water are available.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:** 30,000 square feet
- D. **Minimum Lot Frontage:**
1. Lots in Subdivisions: 60 feet
 2. All other Lots: 100 feet
- E. **Minimum Building Setback Lines:**
1. Front Yard:
 - a. Expressways/Arterials: 100 feet
 - b. Collectors: 80 feet
 - c. Local and Private Streets: 50 feet
 2. Side Yard: 20 feet
 3. Rear Yard: 30 feet
- F. **Minimum Lot Width:** 100 feet
- G. **Maximum Building Height:** Two and one-half (2 ½) stories or 35 feet, whichever is lower.
- H. **Minimum Living Area (Ground Floor):**
1. Single story: 2,000 square feet
 2. Two story: 1,200 square feet
 3. Tri-level: 1,200 square feet (Basement and first level)
 4. Story and one-half: 1,200 square feet (lower and main levels)
- I. **Development Plan Review:** Required for Major Subdivisions.

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
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4.5 SF2: Single-Family Low Density District

- A. **Purpose and Intent:** The purpose of this district is to accommodate low density, Single-family Dwellings with available public sanitary sewers.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:**
1. Subdivision Lot: 15,000 square feet
 2. All other Lots: Three (3) acres
- D. **Minimum Lot Frontage:**
1. Subdivision Lot: 50 feet
 2. All other Lots: 250 feet
- E. **Minimum Building Setback Lines:**
1. Front Yard:
 - a. Subdivision Lot: 30 feet
 - b. All other Lots: 80 feet; 100 feet along Expressway or Arterial
 2. Side Yard:
 - a. Subdivision Lot: 12 feet
 - b. All other Lots: 30 feet
 3. Rear Yard:
 - a. Subdivision Lot: 30 feet
 - b. All other Lots: 30 feet
- F. **Minimum Lot Width:**
1. Subdivision Lot: 100 feet
 2. All other Lots: No minimum
- G. **Maximum Building Height:** Two and one-half (2 ½) stories or 35 feet, whichever is lower.
- H. **Minimum Living Area (Ground Floor):**
1. Single story: 1,200 square feet
 2. Two story: 800 square feet
 3. Tri-level: 800 square feet (Basement and first level)
 4. Story and one-half: 800 square feet
- I. **Development Plan Review:** Required for Major Subdivisions.

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Quick Cross-References:[Article 6.1 Accessory Use and Building Standards](#)[Article 6.3 Architectural Standards](#)[Article 6.8 Landscaping Standards](#)[Article 6.9 Lighting Standards](#)[Article 6.14 Parking and Loading Standards](#)[Article 8.6 Open Space and Amenity Standards](#)[Article 10.8 Improvement Location Permit](#)[Article 10.7 Development Plan Review](#)[Article 10.8 Improvement Location Permit](#)[Article 10.12 Subdivision](#)

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4.6 SF3: Single-Family Medium Density District

- A. **Purpose and Intent:** The purpose of this district is to accommodate medium density, Single-family Dwellings with available public sanitary sewer and water.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:**
1. Duplex Dwellings on Corner Lot: 15,000 square feet
 2. All other Lots: 12,000 square feet
- D. **Minimum Lot Frontage:** 50 feet
- E. **Minimum Building Setback Lines:**
1. Front Yard: 20 feet
 2. Side Yard: 10 feet
 3. Rear Yard: 30 feet
- F. **Minimum Lot Width:**
1. Duplex Dwellings on Corner Lot: 90 feet
 2. All other Lots: 80 feet
- G. **Maximum Building Height:** 25 feet
- H. **Minimum Living Area (Ground Floor):**
1. Single Story: 1,200 square feet
 2. Two Story: 800 square feet
 3. Tri-level: 800 square feet (Basement and first level)
 4. Story and one-half: 800 square feet
- I. **Development Plan Review:** Required for Major Subdivisions.

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
Article 6.9 Lighting Standards	Article 10.8 Improvement Location Permit
Article 6.14 Parking and Loading Standards	Article 10.12 Subdivision

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4.7 SF4: Single-Family High Density District

- A. **Purpose and Intent:** The purpose of this district is to accommodate higher density Single-family Dwellings with available state-approved water and sewer facilities for land with at least one-eighth (1/8) of its perimeter contiguous to the corporate limits of the City.
- B. **Minimum Lot Size:** 9,000 square feet
- C. **Minimum Lot Frontage:** 40 feet
- D. **Minimum Building Lines:**
 - 1. Front Yard: 25 feet
 - 2. Side Yard: 8 feet
 - 3. Rear Yard: 25 feet
- E. **Minimum Lot Width:** 50 feet
- F. **Maximum Building Height:** 25 feet
- G. **Minimum Living Area (Ground Floor):**
 - 1. Single story: 1,000 square feet
 - 2. Two story: 750 square feet
 - 3. Tri-level: 750 square feet (Basement and first level)
 - 4. Story and one-half: 750 square feet
- H. **Development Plan Review:** Required for Major Subdivisions.

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
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4.8 SF5: Single-Family High Density District (villages)

- A. **Purpose and Intent:** The purpose of this district is to accommodate unincorporated towns or villages within the Jurisdiction of the Plan Commission which are presently platted, but not served by public sanitary sewer.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:** 7,000 square feet
- D. **Minimum Lot Frontage:** 40 feet
- E. **Minimum Building Setback Line:**
1. Front Yard: 20 feet
 2. Side Yard: 8 feet
 3. Rear Yard: 20 feet
- F. **Minimum Lot Width:** 40 feet
- G. **Maximum Building Height:** 25 feet
- H. **Minimum Living Area (Ground Floor):**
1. Single story: 800 square feet
 2. Two-story: 650 square
 3. Tri-level: 650 square feet (Basement and first level)
 4. Story and one-half: 650 square feet
- I. **Development Plan Review:** Required for Major Subdivisions.

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
Article 6.9 Lighting Standards	Article 10.8 Improvement Location Permit
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4.9 SFA: Single-Family Attached District

- A. **Purpose and Intent:** The purpose of this district is to accommodate Attached Single-family Dwellings for individuals who desire maintenance-free living (e.g., where grass mowing, property maintenance, snow removal are commonly maintained and owned by a homeowners' association).
- B. **Permitted Uses:** The following uses shall be permitted: Duplex Dwelling, Triplex Dwelling, Quadraplex Dwelling, and Development Amenities.
- C. **Minimum Lot Area:** No minimum
- D. **Minimum Lot Frontage:** No minimum
- E. **Maximum Density:** Four (4) Dwelling Units per acre
- F. **Maximum Dwellings:** Four (4) per building
- G. **Maximum Project Size within District:** Thirty acres (30)
- H. **Minimum Building Setback Lines:**
1. Front Yard:
 - a. Expressways: 50 Feet
 - b. Primary Arterials: 35 Feet
 - c. Secondary Arterials: 25 Feet
 - d. Collectors, Local and Private streets: 20 Feet
 2. Buildings with more than one adjacent unit shall stagger the Front Building Setback Line for each unit by at least four (4) feet.
- I. **Minimum Distance Between Structures:**
1. Structures with no vinyl exterior siding: 25 feet
 2. Structures with any vinyl exterior siding: 30 feet
- J. **Project Perimeter Setback:** No structure shall be erected above the projected 1:2 Proximity Slope line from the perimeter of the project.
- K. **Maximum Building Height:** 35 feet
- L. **Minimum Living Area:** A minimum of seventy-five percent (75%) of the Dwelling Units within a project shall be 1,500 square feet or greater.
1. Single story: 1,300 square feet
 2. Story and one-half: 1,600 square feet (lower and main levels)
 3. Two story: 1,800 square feet (lower and main levels)
- M. **Development Plan Review:** Required.

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Quick Cross-References:

Article 6.1 Accessory Use and Building Standards	Article 8.6 Open Space and Amenity Standards
Article 6.3 Architectural Standards	Article 10.8 Improvement Location Permit
Article 6.8 Landscaping Standards	Article 10.7 Development Plan Review
Article 6.9 Lighting Standards	Article 10.8 Improvement Location Permit
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4.10 MF1: Multi-Family Low Density District

- A. **Purpose and Intent:** The purpose of this district is to accommodate the development of low-density Attached Single-family Dwellings and Multi-family Dwellings to encourage a variety of residential types within the community and provide diverse housing opportunities.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Location:** The following criteria shall be considered in order for a property to be zoned to this Zoning District. The property should:
1. Be located within the corporate limits of the City;
 2. Not be located within one-half (0.5) mile of another Multi-family Zoning District; and
 3. Be contiguous to an existing developed parcel.
- D. **Maximum Density:** Six (6) Dwelling Units per acre
- E. **Maximum Number of Dwelling Units:** Forty-eight (48) per project/district
- F. **Minimum Living Area:** 1,000 square feet
- G. **Minimum Road Frontage:**
1. Duplex: 50 feet
 2. Triplex: 60 feet
 3. All other: 70 feet
- H. **Minimum Building Setback Lines:**
1. Front Yard: 20 feet
 2. Side Yard: 20 feet
 3. Rear Yard: 20 feet
- I. **Minimum Lot Width:**
1. Townhouse or Quadraplex: 45 feet
 2. All other: 50 feet
- J. **Maximum Building Height:** 35 feet
- K. **Minimum Distance Between Buildings:** 20 feet
- L. **Development Plan Review:** Required.

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Quick Cross-References:

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[Article 6.8 Landscaping Standards](#)

[Article 6.9 Lighting Standards](#)

[Article 6.14 Parking and Loading Standards](#)

[Article 6.17 Sign Standards](#)

[Article 8.6 Open Space and Amenity Standards](#)

[Article 6.14 Parking and Loading Standards](#)

[Article 10.7 Development Plan Review](#)

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4.11 MF2: Multi-Family Medium Density District

- A. **Purpose and Intent:** This purpose of this district is to: (i) accommodate medium density Multi-family Dwellings; and (ii) provide housing alternatives within the community.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Location:** The following criteria shall be considered in order for a property to be zoned to this district. The property should:
1. Be located within the corporate limits of the City;
 2. Not be located within three-quarters (0.75) of a mile of another Multi-family Zoning District; and
 3. Be contiguous to an existing developed parcel.
- D. **Maximum Density:** Ten (10) Dwelling Units per acre
- E. **Maximum Dwelling Units per Structure:** Ten (10)
- F. **Maximum Number of Dwelling Units:** One hundred and fifty (150) per project or district (e.g., Development Plan)
- G. **Minimum Living Area:** 650 square feet
- H. **Minimum Road Frontage:** 70 feet
- I. **Minimum Building Setback Lines:**
1. Front Yard: 30 feet
 2. Side Yard: 12 feet
 3. Rear Yard: 20 feet
- J. **Project Perimeter Setback:** No structure shall be erected above the projected 1:3 Proximity Slope line from the perimeter of the project.
- K. **Maximum Building Height:** 35 feet
- L. **Minimum Distance Between Buildings:** 20 feet
- M. **Development Plan Review:** Required.

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Quick Cross-References:

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[Article 6.8 Landscaping Standards](#)

[Article 6.9 Lighting Standards](#)

[Article 6.14 Parking and Loading Standards](#)

[Article 6.17 Sign Standards](#)

[Article 8.6 Open Space and Amenity Standards](#)

[Article 6.14 Parking and Loading Standards](#)

[Article 10.7 Development Plan Review](#)

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4.12 GO: General Office District

- A. **Purpose and Intent:** The purpose of this district is to accommodate general office developments conducted within buildings so constructed that no noise, dust, or dirt is audible or visible beyond the confines of the building.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:** 3 acres
- D. **Minimum Lot Frontage:** 250 feet
- E. **Minimum Building Setback Lines:**
 - 1. Front Yard: 60 feet
 - 2. Side Yard:
 - a. Abutting a Street: 60 feet
 - b. Abutting a Residential District: 60 feet
 - c. All other: 20 feet
 - 3. Rear Yard:
 - a. Abutting a Residential District: 60 feet
 - b. All other: 20 feet
- F. **Maximum Building Height:** 50 feet
- G. **Minimum Ground Area:** No minimum
- H. **Maximum Lot Coverage:** Eighty percent (80%)
- I. **Development Plan Review:** Required.
- J. **Exemption:** Any residence which was located in this Zoning District as of December 1990 and is converted into offices is exempt from the standards of this Article. Such exemption does not apply to additions or exterior modifications which increase the size of the structure.

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Quick Cross-References:

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4.13 GO-PD: General Office / Planned Development

- A. **Purpose and Intent:** The purpose of this district is to accommodate the development of land for offices, Single-family Dwellings and low density Multi-family Dwellings, when such lands are developed in a coordinated and comprehensive manner.
- B. **Permitted Uses:** The following uses shall be permitted; however, business uses shall not exceed twenty percent (20%) and Multi-family Dwellings shall not exceed thirty percent (30%) of a single development's gross acreage:
1. All uses permitted in the *GO: General Office District*, as set forth in *CHAPTER 13: USE TABLE*.
 2. Single Family Dwellings, developed in accordance with the standards applicable to the *SF4: Single-Family High Density District*.
 3. Multi-family Dwellings, developed in accordance with the standards applicable to the *MF1: Multi-Family Low Density District*.
- C. **Minimum Lot Area:** 30 acres
- D. **Minimum Lot Frontage:** 500 feet
- E. **Minimum Building Setback Lines:**
1. Front Yard: 100 feet
 2. Side Yard:
 - a. Abutting a Street: 60 feet
 - b. Abutting a Residential District: 60 feet
 - c. All other: 20 feet
 3. Rear Yard:
 - a. Abutting a Residential District: 60 feet
 - b. All other: 20 feet
- F. **Maximum Building Height:** 40 feet
- G. **Minimum Building Size:** No minimum
- H. **Maximum Lot Coverage:** Eighty percent (80%)
- I. **Development Plan Review:** Required.

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4.14 LB: Local and Neighborhood Business District

- A. **Purpose and Intent:** The purpose of this district is to accommodate local and neighborhood-oriented developments that provide retail services, convenience shopping, and professional services to meet the daily needs of the community and where all uses are conducted within buildings.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Lot Area:** No minimum
- D. **Minimum Lot Frontage:** 50 feet
- E. **Minimum Building Setback Lines:**
1. Front Yard: 60 feet; however, the Front Yard may be reduced to the average setback of legally established buildings where an existing Front Yard setback is already established by two or more existing, legally established buildings within the same Block and within three-hundred (300) feet in either direction of the proposed building.
 2. Side Yard: 15 feet
 - a. Adjacent to Residential District: 60 feet; however, if the Side Yard abuts an alley, then the Side Yard setback shall be 40 feet from the Alley's edge of pavement or Right-of-way line, whichever is greater.
 3. Rear Yard: 20 feet
 - a. Adjacent to Residential District: 60 feet; however, if the Rear Yard abuts an Alley, then the Rear Yard setback shall be 40 feet from the Alley's edge of pavement or Right-of-way line, whichever is greater.
- F. **Maximum Building Height:** 45 feet
- G. **Project Perimeter Setback:** No structure shall be erected above the projected 1:3 Proximity Slope line.
- H. **Building Size Requirements:**
1. Minimum Business Size: 800 square feet
 2. Maximum Business Size: 30,000 square feet
 3. Maximum Aggregate of all Buildings (within a single development): 90,000 square feet
- I. **Development Pattern:** Developments may be either: (i) a freestanding individual building; or (ii) an integrated development without outlots and containing more than one (1) business in one (1) or more buildings.
- J. **Development Plan Review:** Required.

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Quick Cross-References:

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[Article 6.8 Landscaping Standards](#)

[Article 6.9 Lighting Standards](#)

[Article 6.14 Parking and Loading Standards](#)

[Article 6.17 Sign Standards](#)

[Article 8.6 Open Space and Amenity Standards](#)

[Article 6.14 Parking and Loading Standards](#)

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4.15 LB-H: Local Business / Historical District

- A. **Purpose and Intent:** The purpose of this district is to provide for the needs of local business in the central business district of the City and also to provide for the preservation, restoration, adaptive use and/or reconstruction of properties and historic buildings in the district.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **General Requirements and Guidelines:**
1. **Commercial Buildings:** Structures to be remodeled or altered to be utilized for business purposes shall retain original design and features of the existing structure. Materials used for restoration and repair for windows, doors, exterior siding, roofing and other exterior needs shall replicate to the extent possible the existing materials utilized in the period of initial construction.
 2. **Exterior Modifications:** Exterior modifications for porches, overhangs, chimneys and room additions shall be compatible in design of the original structure or like structures. Wood products and white and earth tone colors shall be utilized to the extent possible.
 3. **Residential Buildings:** New Single-family and Multi-family Dwellings to be located in this Zoning District shall be of a design and constructed with materials to be contemporary with existing structures. Modifications to existing Principal and Accessory Buildings shall also be compatible with the period of original construction utilizing white, earth tones or historical colors and emphasis on wood exteriors.
 4. **Guidelines:** An Applicant requesting a Building Permit shall provide three (3) copies of the specifications and design for all renovation, restoration or new construction and signage to the Department. The Department will provide information to all Applicants on the type of facilities that are being encouraged and the materials for construction that the Plan Commission has endorsed in the historical district.
- D. **Development Plan Review:** Required for new buildings or the substantial alteration of an existing building, which shall include the restoration, rehabilitation, or adaptive use of a building.
- E. **Exemption:** All requirements or conditions pertaining to Building Setback Lines, Lot Area, parking requirements and loading and unloading berths may be waived by the Plan Commission without a variance based upon the general purpose and intended use of the facility to be restored or rehabilitated.

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Quick Cross-References:

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4.16 GB: General Business District

- A. **Purpose and Intent:** The purpose of this district is to accommodate the general business needs of the community. This district is intended to be more comprehensive than the **LB: Local and Neighborhood Business District**, by permitting a broader range and greater intensity of uses.
- B. **Permitted Uses:** See **CHAPTER 13: USE TABLE**.
- C. **Minimum Lot Area:** No minimum
- D. **Minimum Lot Frontage:** 80 Feet
- E. **Minimum Building Setback Lines:**
1. Front Yard: 60 feet; however, in established areas shall be the average setback of established buildings within the same Block and within three-hundred (300) feet in either direction of the proposed building.
 2. Side Yard: 20 feet; however, in established areas where it is customary that businesses abut one another, the Side Yard Building Setback Lines may be reduced.
 - a. Abutting a Residential District: 60 feet
 3. Rear Yard: 20 feet
- F. **Minimum Lot Width:** No minimum
- G. **Maximum Building Height:** 60 feet
- H. **Minimum Building Size:** No minimum
- I. **Development Plan Review:** Required.

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4.22 SB-PD: Special Business / Planned Development

- A. **Purpose and Intent:** The purpose of this district is to provide for the needs of general planned business development and multi-family uses.
- B. **General Standards:** Developments in this district shall be subject to the requirements and standards of the *LB-PD and GB-PD: Business / Planned Development*, except where other requirements and standards for this Zoning District are specifically set forth.
- C. **Permitted Uses:** The following uses shall be permitted:
1. All uses permitted in the *LB: Local and Neighborhood Business District*, as set forth in *CHAPTER 13: USE TABLE*.
 2. All uses permitted in the *GB: General Business District*, as set forth in *CHAPTER 13: USE TABLE*.
 3. Multi-family Dwellings, developed in accordance with the standards applicable to the *MF1: Multi-Family Low Density District*.
- D. **Development Plan Review:** Required.

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4.23 LB-PD and GB-PD: Business / Planned Development

- A. **Purpose and Intent:** The purpose of these districts is to allow commercial development to occur in a compatible design where the overall supporting services, including streets and utilities, can be provided in a proper manner to accommodate the needs of businesses. Outlots should be compatible in general exterior design, coloration, and use of materials to that of the development's primary structure(s).
- B. **General Requirement:** Outlots shall not exceed twenty-five percent (25%) of the development's gross acreage.
- C. **Minimum Tract Requirements:**
 1. GB-PD: 10 acres
 2. LB-PD: 5 acres
 3. Where GB-PD and LB-PD are proposed within the same development, then 10 acres shall be the minimum tract size.
- D. **Permitted Uses:** All uses permitted in the *LB: Local and Neighborhood Business District* shall be permitted in the LB-PD District. All uses permitted in the *GB: General Business District* shall be permitted in the GB-PD District.
- E. **Minimum Road Frontage:** (required on Street of primary frontage)
 1. GB-PD: 660 feet
 2. LB-PD: 330 feet
- F. **Minimum Setback Lines:**
 1. Front Yard:
 - a. GB-PD: 60 feet
 - b. LB-PD: 30 feet
 2. Side Yard: 15 feet
 3. Rear Yard: 20 feet
- G. **Minimum Lot Width:** No minimum
- H. **Minimum Number of Structures:** No minimum
- I. **Minimum Building Size:** No minimum
- J. **Development Plan Review:** Required.

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4.24 EI: Enclosed Industrial District

- A. **Purpose and Intent:** The purpose of this district is to accommodate industrial uses that conduct their operations entirely within enclosed buildings.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Tract Requirement:** 3 acres
- D. **Minimum Lot Frontage:** 70 feet
- E. **Minimum Building Setback Lines:**
 - 1. Front Yard:
 - a. Expressways or Arterials: 100 feet
 - b. All other: 40 feet
 - 2. Side Yard: 20 feet
 - 3. Rear Yard: 20 feet
- F. **Minimum Lot Width:** No minimum
- G. **Maximum Building Height:** 60 feet
- H. **Minimum Building Size:** No minimum
- I. **Performance Standards:** Shall comply with [Article 6.15 Performance Standards](#).
- J. **Development Plan Review:** Required.

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4.25 OI: Open Industrial District

- A. **Purpose and Intent:** The purpose of this district is to accommodate industrial uses that require both indoor and outdoor areas for manufacturing, fabricating, processing, extraction, heavy repairing, dismantling, storage or disposal of equipment, raw materials, manufactured products or wastes.
- B. **Permitted Uses:** See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Tract Requirement:** 3 Acres
- D. **Minimum Lot Frontage:** 70 feet
- E. **Minimum Building Setback Lines:**
 - 1. Front Yard:
 - a. Expressways or Arterials: 100 feet
 - b. All others: 40 feet
 - 2. Side Yard: 20 feet
 - 3. Rear Yard: 40 feet
- F. **Minimum Lot Width:** No minimum
- G. **Maximum Building Height:** 60 feet
- H. **Minimum Building Size:** No minimum
- I. **Performance Standards:** Shall comply with [Article 6.15 Performance Standards](#).
- J. **Development Plan Review:** Required.

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4.26 EI-PD: Enclosed Industrial / Planned Development

- A. **Purpose and Intent:** The purpose of this district is to accommodate enclosed industrial uses developed in a coordinated and comprehensive manner (e.g., industrial parks).
- B. **Permitted Uses:** All uses permitted in the *EI: Enclosed Industrial District* shall be permitted. See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Tract Requirement:** 20 acres
- D. **Minimum Lot Frontage:** 200 feet
- E. **Minimum Building Setback Lines:**
1. Expressways or Arterials: 100 feet
 2. All other setbacks: 40 feet
- F. **Maximum Building Height:** 60 feet
- G. **Minimum Building Size:** No minimum
- H. **Maximum Lot Coverage:** Eighty percent (80%)
- I. **Performance Standards:** Shall comply with [Article 6.15 Performance Standards](#).
- J. **Development Plan Review:** Required.

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Quick Cross-References:

Article 6.3 Architectural Standards	Article 8.6 Open Space and Amenity Standards
Article 6.8 Landscaping Standards	Article 6.14 Parking and Loading Standards
Article 6.9 Lighting Standards	Article 10.7 Development Plan Review
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4.27 OI-PD: Open Industrial / Planned Development

- A. **Purpose and Intent:** The purpose of this district is accommodate open industrial uses developed in a coordinated and comprehensive manner (e.g., industrial parks).
- B. **Permitted Uses:** All uses permitted in the *OI: Open Industrial District* shall be permitted. See [CHAPTER 13: USE TABLE](#).
- C. **Minimum Tract Requirement:** 20 acres
- D. **Minimum Lot Size:** No minimum
- E. **Minimum Lot Frontage:** 200 feet
- F. **Minimum Building Setback Lines:**
1. Expressways or Arterials: 100 feet
 2. All other setbacks: 40 feet
- G. **Maximum Building Height:** 60 feet
- H. **Minimum Building Size:** No minimum
- I. **Maximum Lot Coverage:** Eighty percent (80%)
- J. **Performance Standards:** Shall comply with [Article 6.15 Performance Standards](#).
- K. **Development Plan Review:** Required.

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Quick Cross-References:

Article 6.3 Architectural Standards	Article 8.6 Open Space and Amenity Standards
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CHAPTER 4

4.28 Chapter Amendment Log

Ordinance No.	Docket No.	Council Approved	Effective Date	Sections Affected



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Quick Cross-References:

[Article 6.3 Architectural Standards](#)[Article 6.8 Landscaping Standards](#)[Article 6.9 Lighting Standards](#)[Article 6.14 Parking and Loading Standards](#)[Article 6.17 Sign Standards](#)[Article 8.6 Open Space and Amenity Standards](#)[Article 6.14 Parking and Loading Standards](#)[Article 10.7 Development Plan Review](#)[Article 10.8 Improvement Location Permit](#)[Article 10.12 Subdivision](#)

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CHAPTER 5: OVERLAY DISTRICTS

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5.1 Overlay Districts

- A. **Establishment:** The Overlay Districts noted herein have been established to add additional and unique development standards which help the community accomplish its goals and address development in context sensitive areas of the community. For the purpose of this Ordinance, these districts have been established for the general uses as provided within each Overlay District.
- B. **District Boundaries:** The Overlay District boundaries shall be noted on the Zoning Map. If any lot, building, structure or improvement is only partially located within the overlay district, then the provisions of that overlay shall apply to all of such lot, building, structure or improvement.
- C. **Default Underlying Zoning District:** The development and design standards of the underlying Zoning District shall apply within the Overlay Districts unless otherwise stated or provided therein.

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5.2 US Highway 31 Overlay District

A. Purpose and Intent:

1. It is the purpose of the United States Highway 31 Overlay District (the "US31 Overlay") to promote the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering US Highway 31.
2. US Highway 31 is a limited access highway and an important entrance corridor to the community. It is the further purpose of the US31 Overlay to preserve the aesthetic qualities of those bordering properties through:
 - a. The promotion of coordinated development in the US31 Overlay.
 - b. The establishment of basic standards for structures constructed on the properties within the US31 Overlay which permit innovative site designs and at the same time encourage efficient land usage.
 - c. The establishment of lot development standards which will encourage substantial capital investments for the development of those properties.

B. Applicability:

1. The boundaries of the US31 Overlay are hereby established for an area of one thousand three hundred and twenty (1,320) feet on either side of the United States Highway 31 right-of-way line in Washington Township, Hamilton County, extending from 146th Street to 216th Street.
2. The provisions of this Article shall apply to any petition, application, Development Plan or Improvement Location Permit for real estate within the US31 Overlay.

- C. **Permitted Uses:** All uses permitted in the underlying Zoning District, as set forth in [Article 13.2 Use Table](#), shall be permitted except as otherwise excluded and prohibited in the Use Table for the US31 Overlay.

- D. **Minimum Lot Size:** Except as otherwise provided, 217,800 square feet.

1. If a Lot was recorded prior to November 1, 1989, and said Lot does not contain the minimum area required by this Ordinance for Lots in the US31 Overlay, then, notwithstanding the minimum Lot Size requirements for Lots in the US31 Overlay, said Lot ("Undersize Lot") may be used for any use permitted in the US31 Overlay provided:
 - a. At the time of recordation of the Undersized Lot or on the record date, the Undersize Lot met the requirements for minimum Lot Size then in effect for a Lot in the underlying Zoning District.
 - b. The Property Owner of the Undersize Lot does not own any adjoining vacant Lot (not separated by a Street, Right-of-way or easement) which, if combined with the Undersized Lot, would create a Lot which conforms to the minimum Lot Size requirements of this Article.
 - c. All other applicable regulations of the US31 Overlay can be met.

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E. Height and Area Requirements:

1. Maximum Building Height: The maximum height shall not exceed fifty percent (50%) of the depth of the Front Yard. For purposes of this computation, where access to the Lot is by a Frontage Road or which is between the Lot and U.S. 31, the width of such Frontage Road shall be added to the depth of the Front Yard.
2. Minimum Building Height: 14 feet, to the highest point of the roof for a building with a flat roof; 12 feet to the lowest eaves for a building with a gable, hip or gambrel roof.
3. Minimum Front Yard:
 - a. US Highway 31: 90 feet
 - b. All others: 60 feet
 - c. Determination of Front Yard: For purposes of applying the requirements of this Article, the front yard of each Lot in the US31 Overlay, including any Corner Lot, shall be deemed to be any Lot Line of the Lot which abuts the Right-of-way of US Highway 31 or any other Street or highway. Private Parking Areas may be located in the Front Yard so long as the nearest curb of any such Parking Area is not less than twenty (25) feet distant from the Principal Building(s).
4. Minimum Side Yard: 45 feet
5. Minimum Rear Yard: 45 feet
6. Minimum Aggregate of Side Yard: 90 feet
7. Minimum Lot Width: Shall be equal to or exceed one-half (0.5) the depth of the Lot.
 - a. If a Lot was recorded prior to November 1, 1989, and said Lot does not meet the minimum Lot Width requirement for Lots in the US31 Overlay, then, notwithstanding the minimum Lot Width requirements for Lots in the US31 Overlay, said Lot may be used for any use permitted in the US31 Overlay provided:
 - i. At the time of recordation of said Lot or the record date, said Lot met the requirements for minimum Lot Width then in effect for the underlying Zoning Districts.
 - ii. The Property Owner of said Lot does not own any adjoining vacant Lot (not separated by a Street, Right-of-way or interfering easement) which, if combined with said Lot, would create a Lot which conforms to the minimum Lot Width requirements of this Article.
 - iii. All other applicable regulations of the US31 Overlay can be met.
8. Minimum Aggregate Gross Floor Area: Multifamily, Commercial/Business and Industrial uses: 15,000 square feet (excluding Basement).
9. Maximum Lot Coverage:
 - a. If all buildings on the Lot contain an aggregate Gross Floor Area of less than 25,000 square feet, then thirty-five percent (35%) of the Lot.

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- b. If all buildings on the Lot contain an aggregate Gross Floor Area of between 25,000 square feet and 74,999 square feet, then forty-five percent (45%) of the Lot.
 - c. If all buildings on the Lot contain an aggregate Gross Floor Area of between 75,000 square feet and 150,000 square feet, then fifty-five percent (55%) of the Lot.
 - d. If all buildings on the Lot contain an aggregate Gross Floor Area in excess of 150,000 square feet, 65 percent of lot.
- F. **Loading Berth Requirements:** Shall be as specified in the underlying Zoning District, except that no loading or unloading berth or bay may be visible from US Highway 31; elsewhere in the development, such bays shall be completely screened by landscaping or other screening.
- G. **Landscaping:** That portion of the Front Yard between the Front Lone Line and a line which is thirty (30) feet ("Greenbelt Distance") from and parallel to the Front Lot Line shall be landscaped in accordance with [Article 6.8 Landscaping Standards](#) and shall be unoccupied except by steps, walks, terraces, access driveways, lamp posts, signs and other similar structures (excluding a private Parking Area) permitted by this Ordinance to be placed in a Front Yard. Where access to the Lot is by way of a Frontage Road which is between the Lot and the US Highway 31, then the Greenbelt Distance shall be reduced by one-half (0.5) of the width of such Frontage Road; provided, however, that the Greenbelt Distance shall in no event be less than fifteen (15) feet. Inclusive of this landscaped portion of the Front Yard, a minimum of twenty percent (20%) of the Lot surface area shall be landscaped.
- H. **Outside Storage of Refuse:** No outside, unenclosed storage of refuse shall be permitted on any Lot. All refuse shall be contained in completely enclosed facilities; no refuse containers or enclosures shall be visible from US Highway 31.
- I. **Utility Screening:** All heating, ventilating, communication and like equipment for any facility shall be completely screened from view in a manner that is homogenous with the balance of the building.
- J. **Architecture:** In addition to any provisions that apply to the underlying Zoning District, the architectural plan of any building proposed to be built in the US31 Overlay must exhibit pleasing scale and proportion and demonstrate compatibility with other buildings and structures in the same and adjacent developments. A minimum of three (3) materials shall be used for building exteriors, and must include stone or brick. Buildings shall be designed with a minimum of eight (8) external corners to eliminate box buildings. Sloped roofs of one hundred (100) feet or more must include a gable, dormer or other change in roof plane.
- K. **Frontage Roads:** All Frontage Road intersections within this corridor shall be placed a minimum of five hundred (500) feet from the Right-of-way of US Highway 31 and shall otherwise conform to all INDOT Standards.

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- L. **Exemption:** Any alterations to existing buildings or development of additional structures for businesses existing prior to the adoption of Ordinance No. 89-15 (December 11, 1989), or Ordinance No. 00-17 (August 14, 2000), as may be applicable to a subject property, shall be exempt from this Article; however, if an existing business ceases to operate and/or the facility becomes a new type of business, then it shall be subject to the provisions of this Article.
- M. **Disclaimer on Rezoning:** The US31 Overlay criteria and standards do not change the zoning of land. The provisions of the US31 Overlay apply to all zoning classifications and to land uses that are designated as non-conforming.

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5.3 State Highway 32 Overlay District

A. **Purpose and Intent:**

1. The purpose of this Article (the “SR32 Overlay”) is to preserve and enhance: (i) the aesthetic qualities of the highway corridor by regulating building architecture, building placement and building orientation, landscaping, design of Detention Areas and transitions between the corridor and adjacent uses; and (ii) the transportation functionality and safety of the highway by limiting access, regulating building setbacks, providing for alternative transportation, and providing for the future development/redevelopment of the corridor into an “employment corridor” as contemplated in the Comprehensive Plan.
2. Several figures are referenced within this Article. These figures are intended to illustrate the specific subjects of the paragraphs in which they are referenced and may not illustrate a structure that fully complies with all standards of this Ordinance.

B. **Applicability:** This Article shall apply in the following instances:

1. This SR32 Overlay is hereby established for an area within six hundred (600) feet of the State Highway 32 right-of-way line or the edge of pavement, whichever results in a greater distance from the State Highway 32 centerline.
2. This Article shall apply to any development within the SR32 Overlay.
3. To the extent the provisions of this Article conflict with the provisions established elsewhere within this Ordinance, then the provisions of this SR32 Overlay shall supersede and apply.

C. **Exceptions:** This Article shall not apply to the following geographic areas:

1. The area identified as “Downtown” in FIGURE 5.3(1): EXCEPTION AREAS.
2. The area identified as “Eagletown” in FIGURE 5.3(1): EXCEPTION AREAS.
3. The area identified as “Jolietville” in FIGURE 5.3(1): EXCEPTION AREAS.
4. The platted area of Sandpiper Lakes Subdivision.

D. **Administrative Waiver for Existing Developments:** The Director is hereby authorized to determine whether the standards of this Article shall apply to the entire Lot or if the standards of this Article may be limited only to the proposed improvements for Lots that were developed or improved prior to the effective date of this Article. The following factors shall be taken into consideration:

1. The extent and location of the proposed improvements (e.g., drainage, landscaping, parking, buildings) on the Lot.
2. The extent of conflicts in applying the standards of this Article with existing and/or planned improvements.

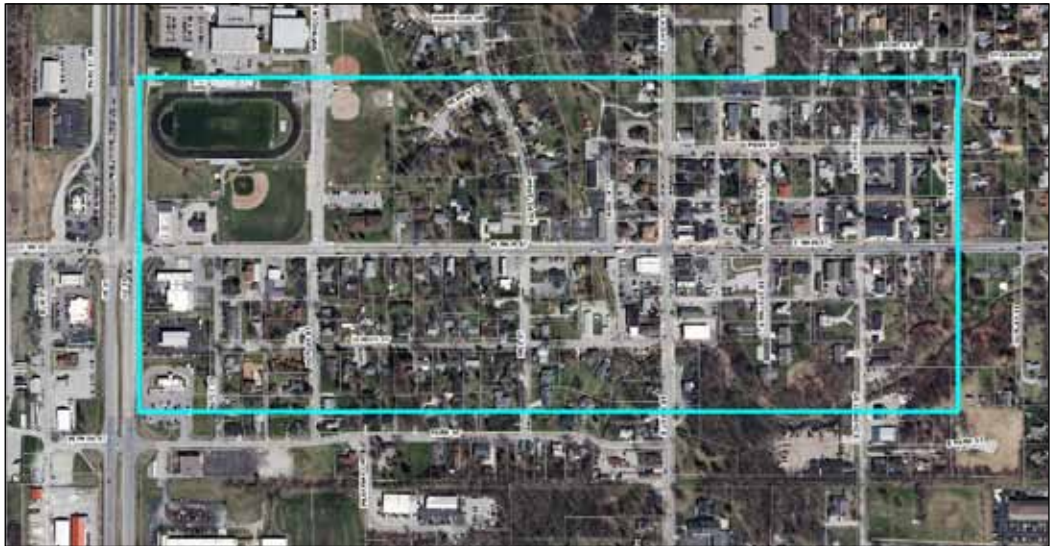
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FIGURE 5.3(1): EXCEPTION AREAS

DOWNTOWN



EAGLETOWN



JOLIETVILLE

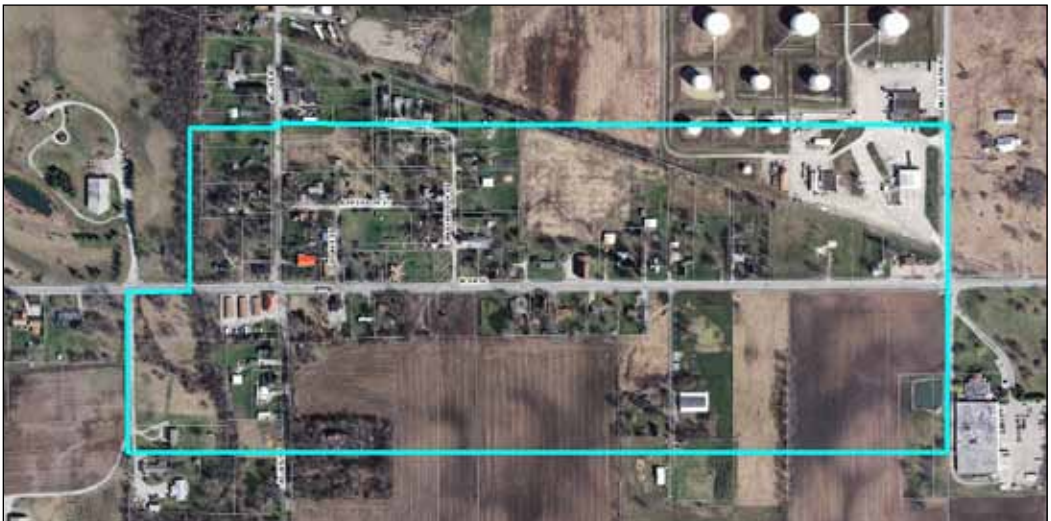


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- E. **Permitted Uses:** All uses permitted in the underlying Zoning District shall be permitted except as otherwise excluded and prohibited in the Use Table for the SR32 Overlay, as set forth in [CHAPTER 13: USE TABLE](#).
- F. **Access Control Requirements:**
1. The purpose of this section is to make the closing of all private curb cuts along State Highway 32 possible by establishing a common access road to provide access to and through Lots abutting State Highway 32.
 2. New curb cuts shall not be permitted unless specifically approved by the Council and the Indiana Department of Transportation prior to installation.
 3. Access roads in substantial compliance with the design plan included in FIGURE 5.3(2) ACCESS ROADS shall be provided for Lots along State Highway 32 unless the Council approves the development of a Lot without providing the normally required access road, and shall be dedicated as Right-of-way.

FIGURE 5.3(2) ACCESS ROADS

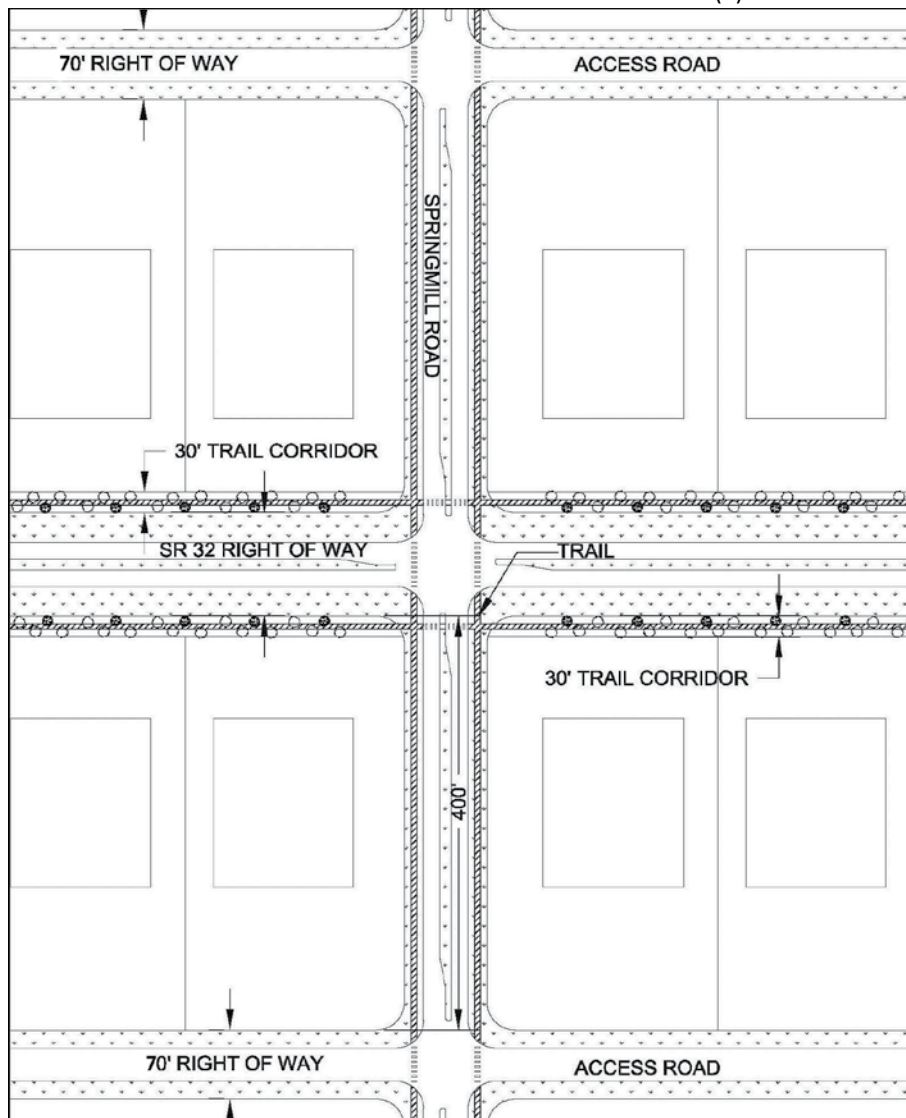


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4. Approval of an illustrative concept plan showing vehicular drive cuts as part of a zoning petition shall not constitute approval of curb cuts by the Council.
 5. In those cases where tracts can be accessed via a connection to an Arterial, Collector, Frontage Road or an adjoining Parking Area, new curb cuts shall not be permitted on State Highway 32.
 6. All developments shall provide for vehicular and pedestrian inter-connectivity between neighboring uses, Parking Areas and developments in order to encourage and facilitate east/west vehicular movements without directly accessing State Highway 32. Cross access easements shall be provided to ensure continued access and connectivity between and through uses along the State Highway 32 corridor.
 7. Any existing curb cuts along State Highway 32 shall be vacated and eliminated as a condition of any discretionary approval for use or development of land on which such curb cuts are present, if an alternative vehicular access is available.
- G. **Setback Requirements:** The following setback requirements regulating the distance from State Highway 32 that buildings may be constructed shall supersede all other setback standards of this Ordinance.
1. **Maximum Setback:** The Established Front Yard on Lots abutting State Highway 32 or the Trail Corridor, as defined herein, shall be a maximum of one hundred and twenty (120) feet from the State Highway 32 right-of-way line or the edge of pavement, whichever results in a greater distance from the State Highway 32 centerline.
 2. **Minimum Setback:** The Established Front Yard on Lots abutting State Highway 32 or the Trail Corridor, as defined herein, shall be a minimum of thirty (30) feet from the State Highway 32 right-of-way line or the edge of pavement, whichever results in a greater distance from the State Highway 32 centerline. Signs shall be located a minimum of thirty (30) feet from the State Highway 32 right-of-way line.
- H. **Accessory Buildings:** No Accessory Building shall be erected in the Established Front Yard. For the purpose of this Article only, an Accessory Building shall not include the following: (i) if provided for public use and enjoyment: fountains, gazebos, picnic shelters, benches, public rest rooms, drinking fountains, utility installations, bike racks, decorative walls and fences (not to exceed an average height of four (4) feet), hardscape amenities, landscaping, pavement, curbs and other similar improvements; or (ii) Monument Signs.
- I. **Building Height Requirements:**
1. **Maximum Building Height:** No maximum
 2. **Minimum Building Height:** Eighteen (18) feet
 3. **Multiple Stories:** Multiple stories are encouraged, but not required.

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- J. **Building Size Requirements:** The Gross Floor Area requirements set forth below are intended to create a certain massing for buildings located within the corridor. Although it is contemplated some buildings may be acceptable with square footages below the minimum set forth herein, decisions to lower the requirement shall be considered on a case-by-case basis. In instances where the requirement set forth herein is lowered, enhanced architectural or site features (e.g., pergolas, outdoor seating, landscaped amenities) may be required.

- a. Minimum Gross Floor Area: Five Thousand (5,000) square feet
- b. Maximum Gross Floor Area: No maximum

K. **Architectural Design Requirements:**

1. **General Design Theme Standards:** Architectural variation is encouraged. These architectural requirements are intended to provide consistent architectural quality among buildings and other improvements within the corridor. All structures shall be thoughtfully designed in a manner that visually and functionally complements the existing topography.
2. **Building Elevations:**
 - a. All Building Facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated, three-dimensional cornice as illustrated in FIGURE 5.3(3): BUILDING MODULATION.

FIGURE 5.3(3): BUILDING MODULATION



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- b. Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at interval of not greater than forty (40) feet. Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of four (4) feet and a minimum aggregate length of twenty percent (20%) of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.

FIGURE 5.3(4): FACADE OFFSET



- c. Buildings shall be constructed with the same building material quality and level of architectural detail on all Building Facades (e.g., 360 degree architecture).
- d. Openings:
- i. Design elements of the Building Facade shall be organized such that openings (including windows, doors, loading berths, faux windows and architectural or painted elements resembling openings) line up horizontally and vertically with other openings, as illustrated in FIGURE 5.3(5): DESIGN BALANCE.

FIGURE 5.3(5): DESIGN BALANCE



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- ii. Openings in a Building Facade shall be arranged in a balanced, relatively uniform fashion (see FIGURE 5.3(6): BALANCE OF OPENINGS).
- iii. Exceptions may be permitted if openings are organized in an aesthetically pleasing manner and constitute an essential artistic design element appropriate for the building type, scale, orientation, location and site.

FIGURE 5.3(6): BALANCE OF OPENINGS



- e. Gutters and Downspouts: Shall be visually integrated with the architectural style of the structure. The color of gutters and downspouts shall be selected to complement or to be consistent with the building materials.
- f. Roofs:
 - i. Pitched Roofs:
 - (a) Pitched roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 4:12 to 14:12 (see FIGURE 5.3(7): ROOF PITCHES).
 - (b) If standing seam panels are used then they shall be: (1) gray, black, dark blue, dark green, barn red or dark brown; and (2) made of a non-reflective material.
 - (c) Modulation of the roofs and/or roof lines shall be required in order to eliminate the appearance of box-shaped buildings, as illustrated in FIGURE 5.3(8): PITCHED ROOF - ROOF LINE MODULATION.

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FIGURE 5.3(7): ROOF PITCHES

HIP ROOF



GABLE AND HIP ROOF



GABLE ROOF



FIGURE 5.3(8): PITCHED ROOF - ROOF LINE MODULATION



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ii. Flat Roofs:

- (a) Flat roofs are permitted if edged by a parapet wall with an articulated, three-dimensional cornice as illustrated in FIGURE 5.3(9): ARTICULATED CORNICE.

FIGURE 5.3(9): ARTICULATED CORNICE



- (b) Parapet walls shall be fully integrated into the architectural design of the building to create seamless design transitions between the main building mass and roof-mounted architectural elements (which may include screening elements for roof-mounted equipment).
- (c) Modulation or variation of the roofs and/or roof lines shall be required in order to eliminate the appearance of box-shaped buildings. Buildings shall comply with at least one of the following:
- (1) A building with a flat roof shall have varying roof height sections, as illustrated in FIGURE 5.3(10): FLAT ROOF VARIATION. A varied roof section shall have a minimum roof height difference of five (5) feet from an adjacent roof section. The maximum horizontal roof line length without variation shall be sixty percent (60%) of the total length of the Building Facade's roof line.

FIGURE 5.3(10): FLAT ROOF VARIATION



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- (2) A roof line modulation shall include a vertical change in the visible roof line of at least four (4) feet, with a minimum aggregate modulation length of forty percent (40%) of each Building Facade, as illustrated in FIGURE 5.3(11): FLAT ROOF - ROOF LINE MODULATION. The maximum horizontal roof line length without modulation shall be sixty (60) feet, or forty (40) feet for Buildings with a Gross Floor Area less than ten thousand (10,000) square feet.

FIGURE 5.3(11): FLAT ROOF - ROOF LINE MODULATION



- iii. Dormers and cupolas shall be designed with appropriate details, proportion and style consistent with the overall building composition and roofed with symmetrical gable, hip or barrel roofs (see FIGURE 5.3(12): DORMERS AND CUPOLAS).

FIGURE 5.3(12): DORMERS AND CUPOLAS



- iv. All visible vents, attic ventilators, turbines, flues and other visible roof penetrations shall be: (a) painted to match the color of the roof or flat black; and (b) oriented to minimize their visibility from adjacent Lots and Streets.

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- g. Main Entrances:
- i. All buildings shall be designed with a main entrance and at least two (2) window openings associated with the main entrance.

FIGURE 5.3(12): WINDOW OPENINGS



- ii. Building entrances shall be clearly defined and articulated by multiple architectural elements such as lintels, pediments, pilasters, columns, awnings, porticos and other design elements appropriate to the architectural style and details of the building as a whole.

FIGURE 5.3(13): ENTRANCE ARTICULATION



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- iii. The location, orientation, proportion and style of doors shall complement the style of the building.
- h. Windows:
 - i. All window designs shall be compatible with the style, materials, color, details and proportion of the building. The number of window panes, the number of window openings, window trim and other architectural design elements designed to accent the windows shall be consistent with and complementary to the architectural style of the building (see FIGURE 5.3(14): WINDOW DESIGNS).

FIGURE 5.3(14): WINDOW DESIGNS



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- ii. Window trim and other architectural design elements designed to accent the windows shall be required for all windows. Acceptable design elements include shutters, keystones, masonry arches, awnings, decorative stone frames, masonry rowlock frames, as illustrated in FIGURE 5.3(15): WINDOW ACCENTS, or other such trim or design elements as approved by the Plan Commission or Director (see FIGURE 5.3(15): WINDOW ACCENTS).

FIGURE 5.3(15): WINDOW ACCENTS



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- i. Awnings:
 - i. Fixed or retractable awnings are permitted if they complement the building's architectural style, material, colors and details, as illustrated in FIGURE 5.3(16): AWNINGS.
 - ii. Awnings shall be made of a non-reflective material.
 - iii. All awnings shall be kept in good repair.
 - iv. Awnings used to comply with the architectural design requirements of this Article shall not be removed unless the Building Facade would otherwise comply with such architectural design requirements without such awnings.

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FIGURE 5.3(16): AWNINGS



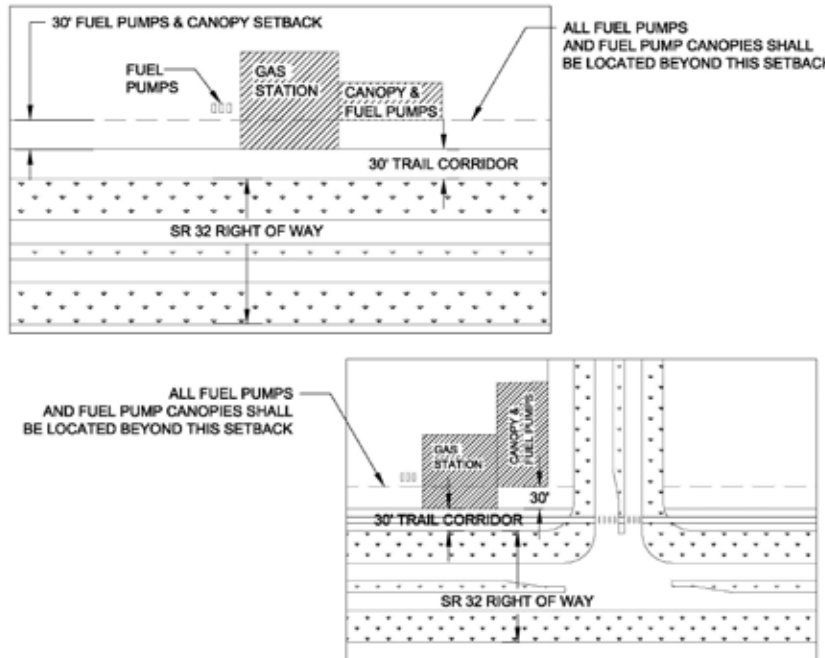
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- j. Drive-thrus and Fueling Stations: This section shall apply to: (i) Lots adjacent to the State Highway 32 right-of-way line or the Trail Corridor, as defined herein; and (ii) Lots where the Lot Line may not abut the State Highway 32 right-of-way line or Trail Corridor, but where the Lot is located in a manner that no significant structures can reasonably be constructed between the Lot and the State Highway 32 right-of-way line or Trail Corridor.
- Drive-thru windows and lanes shall not be permitted in between the State Highway 32 right-of-way line or the Trail Corridor and the Building Facade nearest to said right-of-way line (e.g., Established Front Yard) or Trail Corridor.
 - Vehicular fuel pumps and canopies shall be setback a minimum of thirty (30) feet farther from the State Highway 32 right-of-way line than the Established Front Yard of the Principal Building to



which the fuel pumps or canopies are appurtenant or associated as illustrated in FIGURE 5.3(17): FUEL PUMP/CANOPY LOCATION.

FIGURE 5.3(17): FUEL PUMP/CANOPY LOCATION



k. Building Materials:

- i. Masonry Materials shall be the preferred and primary exterior building material used on buildings within the corridor.
 - ii. Masonry Materials shall be used to create a wainscot or brick-wrap effect around buildings.
 - iii. A minimum of sixty percent (60%) of each Building Facade, exclusive of windows (including faux windows and glazing), doors and loading berths, shall be covered with Masonry Materials.
 - iv. No more than twenty-five percent (25%) of each Building Facade, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with metal, Fiber Cement Siding, Polymeric Cladding, E.I.F.S., stucco, or vinyl exterior building materials.
 - v. In order to create an aesthetically pleasing appearance and to create an appearance of high-quality, visually interesting architecture, increased and enhanced use of Masonry Material and other architectural ornamentation shall be required around building entrances and on Building Facades visible from State Highway 32.
- l. Accessory Buildings: All Accessory Buildings shall be architecturally compatible with the Principal Building(s) with which they are associated.

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L. Trail Corridor Requirement:

1. **Purpose:** The purpose of this section is to establish an alternative transportation corridor along both sides of State Highway 32 by requiring an alternative transportation trail and various other amenities to be installed along State Highway 32 on all Lots abutting State Highway 32.
2. **Requirement:** A linear green space (the “Trail Corridor”) along each side of State Highway 32 that contains the alternative transportation trail mentioned herein shall be provided. The following improvements shall be prohibited within the Trail Corridor, unless otherwise approved by the City: Detention Areas, Retention Areas, Monument Signs.
3. **Public Property:** It is the policy of the City that the Trail Corridor (as defined herein) and the improvements therein will be owned and maintained by the City. It is the policy of the City to have the real estate within the Trail Corridor acquired, pledged, contracted or granted prior to the development of adjacent Lots.
4. **Trail Corridor Design Standards:**
 - a. **Trail Corridor Width:** The Trail Corridor shall be a minimum width of thirty (30) feet parallel and immediately abutting the State Highway 32 right-of-way line or the edge of pavement, whichever results in a greater distance from the State Highway 32 centerline.
 - b. **Alternative Transportation Trail Design:** The trail improvements shall be installed in substantial compliance with FIGURE 5.3(18): TRAIL CORRIDOR DESIGN and shall be a minimum of eight (8) feet in width and constructed of asphalt material in compliance with the City’s Construction Standards (see also [Article 7.3 Principles and Standards of Design](#)). Construction of the trail with a meandering design is encouraged.
 - c. **Inter-connectivity:** All developments along State Highway 32 shall provide for alternative transportation inter-connectivity between neighboring uses, developments and the Trail Corridor in order to encourage and facilitate alternative transportation movements without directly accessing State Highway 32. Cross access easements and connections to the alternative transportation trail referenced above shall be appropriately provided to ensure continued alternative transportation access and connectivity between and through uses along the Trail Corridor (see also [Article 8.3 Easement Standards](#)).
5. **Trail Corridor Plantings:** The primary landscaping materials used within the Trail Corridor shall be shade trees, ornamental trees, shrubs, Groundcover and grass.
 - a. A minimum of three (3) shade trees and one (1) ornamental tree shall be provided per every one hundred (100) linear feet of Trail Corridor along State Highway 32. Installation of plantings on both sides of the alternative transportation trail referenced above is encouraged. All trees shall be a minimum of two and one half (2.5) inches in Caliper at the time of planting.

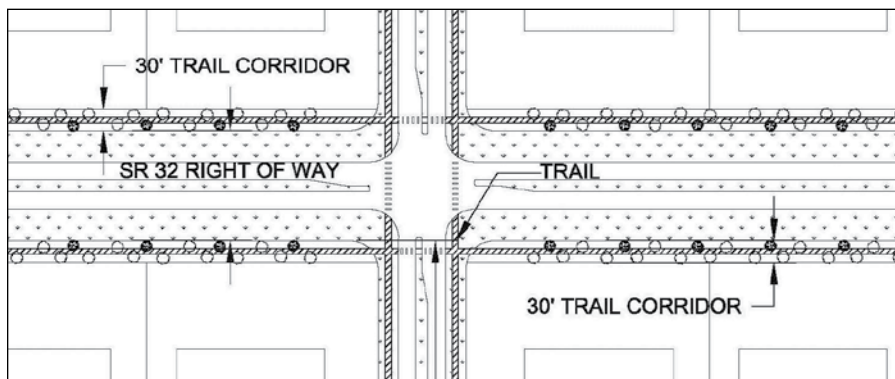
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- b. Shade trees planted within the Trail Corridor shall be spaced a minimum of fifteen (15) feet and no more than forty (40) feet apart.
 - c. Landscaping required within the Trail Corridor shall be counted toward meeting the requirements of [Article 6.8 Landscaping Standards](#), as if the Trail Corridor were a part of the adjacent Lot being developed.
6. **Trail Corridor Mounds/Berms:** The construction of intermittent, undulating mounds or berms within the Trail Corridor is encouraged, but not required. If mounds or berms are installed, then they should be designed in a manner that complements other improvements in the vicinity and in no event shall such mounds or berms be installed in a manner that unsafely inhibits vehicular line of sight (see also [Article 6.19 Vision Clearance Standards](#)) or use of the alternative transportation trail.

FIGURE 5.3(18): TRAIL CORRIDOR DESIGN



M. **Miscellaneous Requirements:**

1. **Loading Berths:**
 - a. Loading berths shall be oriented in a manner so they are not visible from State Highway 32 and in a manner that minimizes their visibility from all other Rights-of-way and adjacent properties.
 - b. The use of loading berth enclosures shall be utilized where appropriate in order to accomplish the design objectives of this subsection.
 - c. All loading berths shall be adjacent to the Principal Building and located entirely within the Side or Rear Yard.
 - d. Loading berths shall be screened to the extent reasonably necessary by installing solid, opaque walls or fences (chain link fences or a variation thereof shall not be permitted). Mounds or berms may also be utilized, or utilized in combination with walls or fence enclosures, to provide screening. Special attention shall be given to accomplish the design objectives herein for visibility of loading berths from adjacent properties and Rights-of-way.
 - e. Loading berth walls and fences shall be softened by installing the following adjacent to such screens, except no landscaping shall be required adjacent to access and delivery doors or gates:
 - i. One (1) ornamental or evergreen tree every thirty (30) feet.
 - ii. Five (5) shrubs every thirty (30) feet.

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2. Mechanical Equipment:

- a. Screening of mechanical equipment, satellite dishes and other similar improvements shall be completely and permanently screened from view of Rights-of-way and adjoining properties.
- b. When attached to the ground, screening methods shall include a mound/berm or an opaque wall or fence enclosure of a material that matches or complements the Principal Building to which it is appurtenant.
- c. When roof mounted, screening methods shall include parapet walls, enclosures or other similar architectural treatment that matches or complements the Principal Building to which it is appurtenant.

3. Walls and Fencing:

- a. The following wall and fence types are permitted within the 32 Overlay Zone: Masonry Material, decorative metal (wrought iron, or wrought iron in appearance) or finished wood (stained or painted). In areas requiring security, decorative metal fencing with a spiked or curved top profile or razor/concertina/barbed wire mounted inside a solid fence or wall is recommended. This type of fence shall only be permitted with the express written approval of the Director and may not be permitted in all cases based on the visibility of the fence.
- b. The following wall and fence types are prohibited in areas visible from outside the Lot on which such walls or fences are installed: non-solid and/or unfinished wood, chain link (with or without slats), non-decorative corrugated metal, electrified fences and razor/concertina/barbed wire.
- c. Walls and fencing shall not be located in an Established Front Yard.
- d. If walls or fencing consists of the same building materials as used on the Principal Building to which they are appurtenant, then they shall be permitted to extend into a Side Yard in a manner that is flush with the Front Building Facade of the Principal Building.
- e. If walls or fencing do not consist of the same building materials as used on the Principal Building to which they are appurtenant, then they shall not be permitted to extend into a Side Yard in a manner that is flush with the Front Building Facade of the Principal Building. Instead such walls or fencing shall be setback a minimum of an additional eight (8) feet from the Established Front Yard.

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5.4 Economic Development District (EDD) Overlay

- A. **Purpose and Intent:** The purpose of this Article (the “EDD Overlay”) is to protect the City and its taxpayers where the City and its taxpayers have been obligated to finance public works projects (“Public Improvements”) within an Economic Development Area (“EDA”).
- Public Improvements in an EDA are intended to facilitate new development that otherwise may not occur or that may otherwise be delayed without the Public Improvements.
 - New development creates additional taxable assessed value and real property taxes. The additional real property taxes generated within an EDA are necessary to finance Public Improvements and eventually lower the tax rates for other City taxpayers.
 - The funding of Public Improvements to increase assessed value, and the generation of tax revenue to pay for the Public Improvements has been, and will continue to be, a compelling governmental interest of the City because an increase in the City’s tax base will continue to be a benefit for all of the City and its citizens.
 - The use of land in an EDA by property owners who are exempt from paying real property taxes (“Tax Exempt Uses”) fails to satisfy the primary purpose of an EDA when the EDA was established because a Tax Exempt Use benefits from the Public Improvements without contribution to the tax base that pays for the Public Improvements.
- B. **Applicability:** This Article shall apply to all property and to any petition, application, land use, development or improvements and petition within an Economic Development Area, as established by the City, and as may be amended from time to time in accordance with Indiana law.
- C. **Development Standards:** The development and design standards of the underlying Zoning District, as set forth by this Ordinance, shall otherwise apply to property within an EDD Overlay.
- D. **Restriction of Use:** The use of land within an EDD Overlay that results in the real estate being exempt from payment of all or part of the real property taxes (a “Tax Exempt Use”) shall be permitted only as a Special Exception (see also [Article 10.11 Special Exceptions](#)). All other uses that are permitted in the underlying Zoning District shall be permitted.
- E. **Exceptions from Restriction of Use:** The following shall be exempt from this Article and shall otherwise be permitted within an EDD Overlay:
- A Tax Exempt Use that is occupying (e.g., leasing from a third party) land or a building that is otherwise owned by a property owner not exempt from payment of all or part of the subject real estate’s real property taxes and the occupation by the Tax Exempt Use does not cause the real estate to become exempt from payment of any real property taxes.
 - Public Safety and Services Uses.

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5.5 Floodplain District (FPD)

- A. **Purpose and Intent:** The Indiana General Assembly granted the power to local units of government (IC 36-7-4) to control the land use within their jurisdictions in order to accomplish the following. The purpose of this Article is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, reduce the potential for health and safety hazards, and to reduce the potential for extraordinary public expenditures for flood protection and relief and:
1. To prevent unwise developments from increasing flood or drainage hazards to others.
 2. To protect new buildings and major improvements to buildings from flood damage.
 3. To protect human life and health from the hazards of flooding.
 4. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations.
 5. To maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas.
 6. To make federally subsidized flood insurance available for structures and their contents in the Township by fulfilling the requirements of the National Flood Insurance Program.
- B. **Definitions:** The following definitions apply:
1. **Administrator:** The Director or his/her designee. See also [Article 3.5 Floodplain Administrator](#).
 2. **Development:** Any man made change to improved or unimproved real estate including but not limited to:
 - a. Construction, reconstruction, or placement of a building or any addition to a building.
 - b. Installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days.
 - c. Installing utilities, erection of walls and fences, construction of Streets, or similar projects.
 - d. Construction of flood control structures such as levees, dikes, dams, channel improvements, etc.
 - e. Mining, dredging, filling, grading, excavation, or drilling operations;
 - f. Construction and/or reconstruction of bridges or culverts.
 - g. Storage of materials.
 - h. Any other activity that might change the direction, height, or velocity of flood or surface waters.
 - i. "Development" does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing; resurfacing Streets; or gardening, plowing, and similar agricultural

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practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

3. Existing Manufactured Home Park or Subdivision: A Manufactured Home Park or Subdivision for which the construction of facilities for servicing the Lots on which the manufactured homes are affixed (including, at a minimum, the installation of utilities, the construction of Streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this Article.
4. Expansion to an existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the Lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
5. FBFM: Flood Boundary and Floodway Map.
6. FEMA: Federal Emergency Management Agency.
7. FHBM: Flood Hazard Boundary Map.
8. FIRM: Flood Insurance Rate Map.
9. Flood: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
10. Floodplain: The channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood, and includes both Floodway and Floodway Fringe.
11. Flood Protection Grade ("FPG"): The elevation of the regulatory flood plus two (2) feet at any given location in the SFHA.
12. Floodway: The channel of a river or stream and those portions of the Floodplain adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.
13. Floodway Fringe: Those portions of the Floodplain lying outside the Floodway.
14. Letter of Map Amendment (LOMA): An amendment to the currently effective FEMA map that establishes that a property is not located in a Special Flood Hazard Area (SFHA), as issued by FEMA.
15. Letter of Map Revision (LOMR): An official revision to the currently effective FEMA map, as issued by FEMA, that changes flood zones, delineations, and elevations.
16. Lowest Floor: The lowest of the following:
 - a. The top of the lowest floor of a building.
 - b. The top of the basement floor.
 - c. The top of the garage floor, if the garage is the lowest level of the building.

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- d. The top of the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings.
 - e. The top of the floor level of any enclosure below an elevated building where the walls of the enclosure provide any resistance to the flow of flood waters unless:
 - i. The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, by providing a minimum of two (2) openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above grade.
 - ii. Such enclosed space shall be usable for the parking of vehicles and building access.
17. **Manufactured Home:** A structure, as defined in [Article 12.1 Definitions](#) and regulated in [Article 6.11 Manufactured Home and Park Standards](#), that is transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “Manufactured Home” does not include a Recreational Vehicle.
18. **New Manufactured Home Park or Subdivision:** A Manufactured Home Park or Subdivision for which the construction of facilities for servicing the Lots on which the Manufactured Homes to be affixed (including at a minimum, the installation of utilities, the construction of Streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this Article.
19. **Recreational Vehicle:** For purposes of this Article only, shall mean a vehicle which is: (1) built on a single chassis; (2) four hundred (400) square feet or less when measured at the largest horizontal projections; and (3) designed to be self-propelled or permanently towed by a light duty truck, but as temporary living quarters for recreational camping, travel, or seasonal use.
20. **Regulatory Flood:** The flood having a one percent (1%) probability of being equaled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission and the Federal Emergency Management Agency (FEMA). The regulatory flood elevation at any location is defined herein and is also known by the term “Base Flood.”
21. **Special Flood Hazard Area (SFHA):** Those lands within the Jurisdiction of the Plan Commission that are subject to inundation by the regulatory flood. The SFHAs of the Township are generally identified as such on the county-wide Flood Insurance Rate Map for Hamilton County prepared by the Federal Emergency Management Agency and dated February 19, 2003 (and as may be subsequently amended or revised).
22. **Structure:** For purposes of this Article only, a structure that is principally

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above the ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a Manufactured Home, or a prefabricated building. The term also includes Recreational Vehicles to be installed on a site for more than one hundred and eighty (180) days.

23. **Substantial Improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage” regardless of the actual repair work performed. The term does not include improvement of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of an “historic structure”, provided that the alteration will not preclude the structure’s continued designation as an “historic structure.”
- C. **Regulatory Flood Elevation:** This section’s protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and to submit it to the Department of Natural Resources for review and approval.
1. The Regulatory Flood Elevation and Floodway limits for the SFHAs of Cool Creek and The Anna Kendall Regulated Drain shall be as delineated on the one hundred (100) year flood profiles in the Flood Insurance Study of Hamilton County dated February 19, 2003 and the corresponding county-wide Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated February 19, 2003 (and as may be subsequently amended or revised).
 2. The Regulatory Flood Elevation for each SFHA delineated as an “AH Zone” or “AO Zone” shall be that elevation (or depth) delineated on the Flood Insurance Rate Map.
 3. The Regulatory Flood Elevation for each of the remaining SFHAs delineated as “A Zone” on the Flood Insurance Rate Map shall be according to the best data available as provided by the Department of Natural Resources.
- D. **Improvement Location Permit:** No person, firm, corporation, or governmental body not exempted by state law shall commence any “development” in the SFHA without first obtaining an Improvement Location Permit from the Administrator. The Administrator shall not issue an Improvement Location Permit if the proposed “development” does not meet the requirements of this section.
1. The application for an Improvement Location Permit shall be accompanied by the following:
 - a. A description of the proposed development.

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- b. Location of the proposed development sufficient to accurately locate property and structure in relation to existing Streets and streams.
 - c. A legal description of the property site.
 - d. A site plan showing existing and proposed development locations and existing and proposed land grades.
 - e. Elevation of the top of the lowest floor (including Basement) of all proposed development. Elevation should be in National Geodetic Vertical Datum of the 1929 (NGVD) or North American Vertical Datum (NAVD). In either case, the conversion formula should be included.
2. Upon receipt of an application for an Improvement Location Permit, the Administrator shall determine if the site is located within an identified Floodway, Floodway Fringe or within the Floodplain where the limits of the Floodway have not yet been determined.
 - a. Identified Floodway: If the site is in an identified Floodway, then the Administrator shall require the Applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a Floodway. Under the provisions of [I.C. 14-28-1](#), a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the Floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building. No action shall be taken by the Administrator until a permit has been issued by the Natural Resources Commission granting approval for construction in the Floodway. Once a permit has been issued by the Natural Resources Commission, then the Administrator may issue the local Improvement Location Permit, provided the provisions otherwise contained herein have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.
 - b. Identified Floodway Fringe: If the site is located in an identified Floodway Fringe, then the Administrator may issue the local Improvement Location Permit provided the provisions contained herein have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the Flood Protection Grade (FPG).
 - c. Unidentified Limits: If the site is in an identified Floodplain where the limits of the Floodway and Floodway Fringe have not yet been determined (shown as Zone A, AH, or AO on the Flood Insurance Rate Map) and the drainage area upstream of the site is greater than one (1) square mile, then the Administrator shall require the Applicant to forward the application, along with all pertinent plans and specifications to the Indiana Department of Natural Resources for review and comment. No action shall be taken by the Administrator until either a permit for construction in the Floodway or a Floodplain

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analysis/regulatory assessment citing the one hundred (100) year flood elevation and the recommended Flood Protection Grade has been received from the Department of Natural Resources. Once the Administrator has received the proper permit or floodplain analysis/regulatory assessment approving the proposed development, an Improvement Location Permit may be issued provided the conditions of the Improvement Location Permit are not less restrictive than the conditions received from the Department of Natural Resources and the provisions otherwise contained herein have been met.

- d. **Identified Floodplain but Unidentified Floodway:** If the site is in an identified Floodplain where the limits of the Floodway and Floodway Fringe have not yet been determined and the drainage area upstream of the site is less than one (1) square mile, then the Administrator shall require the Applicant to provide an engineering analysis showing the limits of the floodway, floodway fringe and one hundred (100) year elevation for the site. Upon receipt, the Administrator may issue the local Improvement Location Permit, provided the provisions otherwise contained herein have been met.
- E. **Preventing Increased Damages:** No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.
1. The following standards shall apply within the Floodway identified on the Flood Boundary and Floodway Map or the Flood Insurance Rate Map:
 - a. No development shall be allowed which acting alone or in combination with existing or future development, will cause any increase in the elevation of the regulatory flood; and
 - b. For all projects involving channel modifications or fill (including levees), the Applicant or City shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data.
 2. The following standard shall apply within all SFHAs identified as A Zones (no one hundred (100) year flood elevation and/or Floodway/Floodway Fringe delineation has been provided):
 - a. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood elevation more than one-tenth (0.1) of one (1) foot and will not increase flood damages or potential flood damages.
 3. Public Health Standards in all SFHAs:
 - a. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the Flood Protection Grade, unless such materials are stored in a flood proofed storage tank or building constructed according to the Protecting Building requirements contained herein.

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- b. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings are located above the FPG, or those which are located below the FPG are watertight.
- F. **Protecting Buildings:** In addition to the damage prevention requirements above, all buildings to be located in the SFHA shall be protected from flood damage below the FPG.
1. These requirements apply to the following situations:
 - a. Construction or placement of any new building having a Gross Floor Area greater than four hundred (400) square feet.
 - b. Structural alterations made to an existing (previously unaltered) building, the cost of which equals or exceeds fifty percent (50%) of the value of the pre-altered building (excluding the value of the land).
 - c. Structural alterations made to any previously altered building.
 - d. Reconstruction or repairs made to a damaged building that are valued at or more than fifty percent (50%) of the market value of the building (excluding the value of the land) before damage occurred.
 - e. Installing a Manufactured Home on a new site or a new Manufactured Home on a new site. This does not apply to returning the existing Manufactured Home to the same site it lawfully occupied before it was removed to avoid flood damage.
 - f. Installing a Recreational Vehicle on a site for more than one hundred and eighty (180) days.
 2. This section may be satisfied by one of the following methods. The Administrator shall maintain a record of compliance with these standards as required by this section.
 - a. A residential or nonresidential building may be constructed on a permanent landfill in accordance with the following:
 - i. The fill shall be placed in layers no greater than one (1) foot deep before compacting to ninety-five percent (95%) of the maximum density obtainable with the Standard Proctor Test method.
 - ii. The fill should extend at least ten (10) feet beyond the foundation of the building before sloping below the FPG.
 - iii. The fill shall be protected against erosion and scour during flooding by vegetative cover, rip rap, or bulk heading. If vegetative cover is used, then the slopes shall be no steeper than three horizontal to one vertical.
 - iv. The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.
 - v. The top of the Lowest Floor including Basements shall be at or above the FPG.
 - b. A residential or nonresidential building may be elevated in accordance with the following:

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- i. The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundation provided:
 - (a) Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above grade.
 - (b) Any enclosure below the elevated floor is used for storage of vehicles and building access.
- ii. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as buoyancy, current, waves, ice, and floating debris.
- iii. All areas below the FPG shall be constructed of materials resistant to flood damage. The top of the lowest floor (including Basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.
- c. Manufactured Homes and Recreational Vehicles to be installed or substantially improved on a site for more than one hundred and eighty (180) days must meet one (1) of the following anchoring requirements:
 - i. Shall be elevated on a permanent foundation such that the lowest floor shall be set at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movements. This requirement applies to all Manufactured Homes to be placed on a site:
 - (a) Outside a Manufactured Home Park or subdivision.
 - (b) In a new Manufactured Home Park or subdivision.
 - (c) In an expansion to an existing Manufactured Home Park or subdivision.
 - (d) In an existing Manufactured Home Park or subdivision on which a manufactured home has incurred “substantial damage” as a result of a flood.
 - ii. This requirement applies to all Manufactured Homes to be placed on a site in an existing Manufactured Home Park or Subdivision that has not been substantially damaged by a flood. The Manufactured Home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than thirty-

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six (36) inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- d. Recreational Vehicles placed on a site shall either:
 - i. Be on the site for less than one hundred and eighty (180) consecutive days;
 - ii. Be fully licensed and ready for highway use (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additional); or
 - iii. Meet the above requirements for Manufactured Homes.
- e. A nonresidential building may be flood proofed to the FPG (in lieu of elevating) if done in accordance with the following:
 - i. A Registered Professional Engineer shall certify that the building has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.
 - ii. Flood proofing measures shall be operable without human intervention and without an outside source of electricity.

G. Other Development Requirements:

1. The Administrator shall review all proposed Subdivisions to determine whether the Subdivision lies in a flood hazard area as defined elsewhere in this Article. If the Administrator finds the Subdivision to be so located, then the Administrator shall forward plans and materials to the Indiana Department of Natural Resources for review and comment. The Administrator shall require appropriate changes and modifications in order to assure that:
 - a. It is consistent with the need to minimize flood damages.
 - b. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage.
 - c. Adequate drainage is provided to reduce exposure to flood hazards.
 - d. On-site waste disposal systems, if provided, will be so located and designed to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
2. Applicants shall identify the 100-year flood elevation on all Primary and Secondary Plats containing lands within a flood hazard area prior to submitting the plats for approval by the Plan Commission.
3. All owners of Manufactured Home Parks or Subdivisions located within the SFHA identified as Zone A on the community's FHBM or FIRM shall develop an evacuation plan for those lots located in the SFHA and file it with the Plan Commission and have it filled with and approved by the appropriate community emergency management authorities.

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H. **Variances:**

1. The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of this Article provided the Applicant demonstrates that:
 - a. There exists a good and sufficient cause for the requested variance;
 - b. The strict application of the terms of this Ordinance will constitute an exceptional hardship to the Applicant; and
 - c. The granting of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
2. The Board of Zoning Appeals may issue a variance to the terms and provisions of this Article subject to the following:
 - a. No variance for a residential use within a Floodway may be granted.
 - b. Any variance granted in a Floodway will require a permit from the Indiana Department of Natural Resources.
 - c. Variances to the Building Protection Standards of this Article may be granted only when a new structure is to be located on a Lot of one-half (0.5) acre or less in size, contiguous to and surrounded by Lots with existing structures constructed below the flood protection grade.
 - d. Variances or exceptions may be granted for the reconstruction or restoration of any structure individually listed on the Register of Historic Places or the Indiana State Survey of Historic Architectural, Archaeological and Cultural Sites, Structures, Districts, and Objects;
 - e. All variances shall give the minimum relief necessary and be such that the maximum practical flood protection will be given to the proposed construction.
 - f. The Board of Zoning Appeals shall issue a written notice to the recipient of a variance that the proposed construction will be subject to increased risks to life and property and could require payment of increased flood insurance premiums.

- I. **Disclaimer of Liability:** The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this Article does not create any liability on the part of the City, the Township, the County, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

- J. **Violations:** Failure to obtain an Improvement Location Permit in the SFHA or failure to comply with the requirements of a permit or conditions of a variance shall be deemed to be a violation of this Ordinance.

1. A separate offense shall be deemed to occur for each day the violation continues to exist.

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2. The Administrator shall inform the Property Owner that any such violation is considered a willful act to increase flood damages and, therefore, may cause coverage by a Standard Flood Insurance Policy to be suspended.
 3. Nothing herein shall prevent the Council from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible. See also [CHAPTER 11: ENFORCEMENT & PENALTIES](#).
- K. This Article repeals and replaces other ordinances adopted by the City to fulfill the requirements of the National Flood Insurance Program. However, this Article does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this Article repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this Article and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence. In addition, the Council shall assure that all National Flood Insurance Program regulations ([44 CFR SS 60](#)) as well as Indiana laws and regulations regarding floodplain issues ([312 IAC 10](#), [I.C. 14-28-1](#) and [I.C. 14-28-3](#)) are met.

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5.6 Planned Unit Development (PUD) District

- A. **Authority:** This Article shall allow all Zoning Districts to be zoned to a Planned Unit Development District (“PUD District”).
- B. **Applicability:** The PUD District is an overlay district that shall default to an underlying Zoning District. The land designated in a PUD District shall be a tract of land under single ownership or control.
- C. **Purpose and Intent:** The PUD District is intended to:
1. Encourage flexibility and innovation in the development of land in order to promote its most appropriate use.
 2. Improve the design, character and quality of new developments.
 3. Encourage a harmonious and appropriate mix of uses.
 4. Facilitate the adequate and economic provision of streets, utilities and municipal services.
 5. Preserve the natural environmental and scenic features of the site.
 6. Encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features.
 7. Mitigate problems which may be presented by specific site conditions.
- D. **Standard Criteria:** A PUD District shall comply with the provision of this Ordinance. In addition, a proposed PUD District should include concepts and development and design standards that generally offer the following advantages over a standard Zoning District:
1. Address the policies included in the Comprehensive Plan specific to the neighborhood so as to encourage consistency with the community’s vision as presented in the Comprehensive Plan.
 2. Use design to provide compatibility between areas of different land uses and development intensities within the PUD District.
 3. Buffer different types of land uses and development intensities outside of the PUD District from those within the PUD District so as to increase compatibility or minimize any adverse impact which new development may have on existing or zoned development.
 4. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces and provide enhance amenities and open space.
 5. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.
 6. Promote architecture that complements the surroundings.
 7. Counteract urban monotony and congestion on streets.

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- E. **Permitted Uses:** All land uses permitted by this Ordinance may be permitted by a PUD District. Permitted uses shall be specified and set forth in the adopted PUD District Ordinance.
- F. **Standards:** Unless alternative development, design or construction standards are proposed as part of the PUD District Ordinance, then the standards applicable to the PUD District shall be those applicable to the underlying Zoning District. If the PUD District Ordinance is silent on a particular land use, development or design standard, or other applicable specification, then the standards of the underlying Zoning District, as amended, shall apply.
- G. **Amendments to Unified Development Ordinance:** Unless the PUD District Ordinance has specified alternative development, design or construction standards, an amendment to the text of this Unified Development Ordinance shall apply equally to PUD Districts.
- H. **PUD District Format:** A PUD District shall include a PUD District Ordinance and Concept Plan (see also [Article 10.9 Planned Unit Development Districts](#)). The PUD District Ordinance shall follow a standard format adopted by the City for PUD District Ordinance. The PUD Ordinance shall incorporate the Concept Plan and establish an underlying Zoning District, permitted land uses, development and design standards, and other applicable specifications which shall govern the development of the PUD District.
- I. **Procedures:** The procedures for the establishment and administration of a PUD District are set forth in [Article 10.9 Planned Unit Development Districts](#).
- J. **Review Considerations:** In their consideration of a PUD District, the Department in its report to the Plan Commission, the Plan Commission in its recommendation, and the Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:
1. The extent to which the proposed PUD District meets this Ordinance's purposes and intent of a PUD District, the Comprehensive Plan, and any other adopted planning policies, objectives or regulations of the jurisdiction.
 2. The extent to which the proposed PUD District departs from the underlying Zoning District(s) and other regulations that are otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.
 3. The proposal will not be injurious to the public health, safety, and general welfare.
 4. The physical design proposed by the PUD District and the extent to which it makes adequate provision for:
 - a. Public services;
 - b. Adequate control over vehicular traffic;
 - c. Protection of designated permanent Open Space; and
 - d. Furthering the amenities of light, air, recreation and visual appeal.

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5. The relationship and compatibility of the proposed PUD District to the adjacent properties and neighborhood.
6. The desirability of the proposed PUD District in relation to the community's physical development, tax base and economic well-being.
7. The development proposed by the PUD District will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services or improvements that are proposed by the developer as a part of the project approval.
8. The development proposed by the PUD District preserves significant ecological, natural, historical, and architectural resources to the extent possible.

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5.7 Wellhead Protection District (WPD) Overlay

- A. **Purpose and Intent:** The purpose of this Article (the “WPD Overlay”) is to protect the community’s public water supply because:
1. The safety and potability of the community’s water supply requires that property near well fields used to supply water for public purposes be subject to regulations designed to prevent development that is injurious to the public water supply;
 2. Commercial and industrial uses, if unregulated, have an immediate probability of permitting the introduction of toxic substances into the water supply;
 3. Local water utilities, in compliance with Indiana Department of Environmental Management mandates for community public water systems, are presently establishing well field protection programs as a first step towards protecting their public water supply well fields;
 4. All public water supplies within the Jurisdiction of the Plan Commission are totally dependent on groundwater as the source for public water supplies; and
 5. Future development in the community is dependent on the availability of a safe and dependable supply of drinking water.
- B. **Applicability:** This Article shall apply to all property, except for single and multi-family residential uses connected to municipal sanitary and storm sewers, within a Wellhead Protection Zone, as defined below.
1. **Establishment of Wellhead Protection Zone:** The following properties are hereby designated as Wellfield Protection Zones:
 - a. **Zone 1:**
 - i. Property within a one (1) year time-of-travel to a public water supply well or wellfield, as defined by a modeled delineation performed in compliance with [327 IAC 8-4.1](#).
 - ii. Property within one thousand (1,000) feet of a public water supply well.
 - b. **Zone 2:**
 - i. Property within a five (5) year time-of-travel to a public water supply well or wellfield, as defined by a modeled delineation performed in compliance with [327 IAC 8-4.1](#).
 - ii. Property within three thousand (3,000) feet of a public water supply well.
 2. **Requirement for Review:** No building, structure, premises, or part thereof within a Wellhead Protection Zone shall be constructed, erected, enlarged, extended, or relocated except in conformity with these regulations and for uses permitted by this Ordinance until the proposed development and land use has been reviewed and approved by the Department, in accordance with this Article.

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C. **Development Plan Review:** Except as otherwise exempted below, a development plan and description of the proposed land use for property within a Wellhead Protection Zone shall be submitted to the Department for review and either approval, disapproval, or approval with conditions.

1. **Exceptions:** The following shall be exempt from the above requirement:

- a. **Zone 1:** Any land use, in the ordinary course of their business, that has, or will have, less than the threshold amount of one (1) gallon of liquids in the aggregate or six (6) pounds of water soluble solids.
- b. **Zone 2:** Any land use, in the ordinary course of their business, that has, or will have, less than the threshold amount of one hundred (100) gallons of liquid in the aggregate or six hundred (600) pounds of water soluble solids in the aggregate.
- c. **Exempt Substances:** In determining thresholds, the following substances shall be exempted:
 - i. Reasonable quantities of substances used for routine building and yard maintenance stored inside a facility.
 - ii. Liquids required for normal operation of a motor vehicle in use in that vehicle.
 - iii. Substances contained within vehicles for bulk deliveries to the site.
 - iv. Beverages and food at restaurants, supermarkets, convenience stores, and other retail food establishments.
 - v. Uncontaminated public water supply water, groundwater and/or surface water.
 - vi. Substances, which are packaged in pre-sealed containers, sold at retail establishments.
 - vii. Substances utilized for the production and treatment of public water supply.
 - viii. Substances, which due to their inherent chemical or physical properties, that are determined to pose no significant threat to groundwater quality.

2. **Review Criteria:** In addition to meeting the other requirements of this Ordinance, development within a Wellhead Protection Zone may be approved upon the determination that the proposed development:

- a. Will prevent potential ground water contaminants associated with human activity from interfering with each community public water supply system's ability to produce drinking water that meets all applicable federal and state drinking water standards after undergoing conventional ground water treatment, as employed by the public water supply system. These treatment processes include, but are not limited to aeration, detention, pressure filtration, and disinfection.
- b. Will not unreasonably endanger the quality of groundwater in a designated wellhead protection area. An unreasonable risk includes, but is not limited to, the inappropriate storage, handling, use and/or production of metals, inorganic compounds, volatile organic

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- compounds, semi-volatile organic compounds or other substances listed in [40 CFR Part 355](#), or defined by the [County Code, "Hazardous Material Emergencies"](#) within a wellhead protection area.
- c. Complies with the standards and prohibitions of this Article.
 - d. Complies with the other applicable requirements and approvals of this Ordinance.
3. **Investigation of Petitions:** The Department, in coordination with the Public Works Department, may solicit comments from the County Health Department, the County Surveyor's Office, and/or the applicable water utility serving the development.
 4. **Documentation and Supporting Information:** All requests for review shall include the documentation and supporting information set forth herein. Other information as deemed necessary to support a thorough review of the development may be requested in writing by the Director. The Director, in its sole discretion, may, in writing, waive or relax any of the documentation required which is not relevant or is deemed unnecessary for a thorough review of the development.
 - a. **Narrative Report:** A narrative description of the site including:
 - i. Any existing uses, setbacks, available sewage disposal facilities, and a brief history of the site (including any former uses, historical environmental concerns, abandoned wells, underground storage tanks, septic systems, etc.).
 - ii. Description of the proposed operations, including chemical/products used or generated, chemical/product storage area descriptions, waste generation quantities, equipment cleaning/maintenance procedures.
 - iii. Methods and locations of receiving, handling, storing and shipping chemicals/products and wastes.
 - iv. Spill or release response measures and reporting.
 - v. Description of slopes near containment vessels and waste storage areas.
 - b. **Site Plan:** A site plan drawn to scale, which shall include:
 - i. A vicinity map (USGS quadrangle preferred).
 - ii. All existing and proposed structures.
 - iii. Paved and non-paved areas.
 - iv. Utility lines (inside and outside structures) including sanitary sewers, storm sewers, storm retention ditches/basins/french drains/dry wells, etc. (both proposed and existing).
 - v. Floor drain locations and outlets.
 - vi. Chemical/product storage locations.
 - vii. Waste storage locations.
 - viii. Liquid transfer areas.
 - ix. Site surface water bodies (streams, rivers, ponds).
 - x. Underground storage tanks ("USTs") (and associated piping).
 - xi. Above ground storage tanks ("ASTs") (and associated piping).
 - xii. Slope and contours of finished grade at 2-foot intervals or less.

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- xiii. Regulated drains.
 - xiv. Any and all easements.
 - xv. Proposed containment area detail drawings, including area, heights, materials, specifications, if applicable.
- D. **Development Standards and Prohibitions:** The following shall apply to development within a Wellhead Protection Zone.
1. **Public Sanitary Sewer:** All development, except for Single-family Dwellings with sewage flows under 750 gallons per day, shall be connected to a Public Sanitary Sewer.
 2. **Floor Drains:** Floor drains, if present, shall: (i) be approved to be connected by the Public Works Department or appropriate utility agency, in order to be connected to sanitary sewers; or (ii) be routed to a temporary holding area for removal.
 3. **Surface Water Storage:** No surface impoundments, pits, ponds or lagoons shall be established except for:
 - a. Storm water Detention and Retention Areas; or
 - b. Recreation, landscaping, or public water supply purposes.
 4. **Detention and Retention Areas (Zone 1):** Detention and Retention Areas in Zone 1 shall be constructed in a manner that provides an effective barrier to the migration of potential ground water contaminants into ground water, as demonstrated by sealing the bottom of the structure with clay or other approved low permeability material. Detention and Retention Areas shall be designed and certified by a professional engineer licensed by the State of Indiana.
 5. **New Storage Areas (Zone 1):** The following restrictions apply to new storage areas in Zone 1:
 - a. No above ground storage of liquid and/or petroleum of greater than one thousand (1,000) gallons in aggregate shall be permitted.
 - b. No storage of water-soluble solids of more than six thousand (6000) pounds per container in any one (1) containment area shall be permitted.
 - c. No new underground storage tanks (USTs) shall be permitted.
 6. **Above Ground Storage:** All above ground storage of liquids in excess of forty (40) gallons for more than twenty-four (24) hours shall provide secondary containment which meets the following requirements:
 - a. Containment must be capable of containing one-hundred and ten percent (110%) of the volume of the tank or tanks.
 - b. Shall be constructed to meet at least one of the following:
 - i. Designed to prevent and control the escape of the contaminant(s) into ground water for a minimum of 72 hours before removal; or
 - ii. Designed and built with an outer shell and a space between the tank wall and outer shell that allows and includes interstitial monitoring.

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- c. The secondary containment structure shall be properly maintained and shall be free of vegetation, cracks, open seams, open drains, siphons, or other openings that jeopardize the integrity of the structure.
 - d. Secondary containment systems shall be designed so that the intrusion of precipitation is inhibited or that stormwater is removed to maintain system capacity.
7. Fuel Dispensing Facilities (Zone 1): The following requirements apply to existing fuel dispensing facilities and associated underground storage tanks (USTs) which are to be replaced or upgraded within Zone 1:
 - a. All USTs shall be double walled.
 - b. All USTs shall include the following three methods of release detection:
 - i. Inventory control as defined in [40 CFR 280.43\(a\)](#).
 - ii. Monthly 0.2 in-tank leak test as defined in [40 CFR 280.43\(d\)](#).
 - iii. Interstitial monitoring of a double walled approved UST as defined by [40 CFR 280.43\(g\)](#).
 - c. Connected piping shall include all three of the following methods of release detection:
 - i. Inventory control.
 - ii. Continuous detection for three (3) gallon per hour line leak, as specified in [40 CFR 280.44\(a\)](#) except that automatic shutoff is required at ninety-five percent (95%) tank capacity.
 - iii. Double walled line which is continuously monitored to detect the presence of liquid in the interstitial space and provided an alarm as specified in [40 CFR 280.44\(c\)](#) via [40 CFR 280.43\(g\)](#).
8. Fuel Dispensing Facilities (Zone 2): In Zone 2, the requirements of [40 CFR Part 280](#) apply to all existing, registered USTs that are replaced or upgraded and USTs installed at new fuel dispensing facilities. In addition, the construction standards of [40 CFR Part 280](#), applicable to non-petroleum USTs, shall be applicable to the following in Zone 2:
 - a. Such a tank that is covered by State or Federal hazardous waste regulations; and
 - b. Heating oil tanks for on-site use.
9. Injection Wells: All Class V Injection Wells (including but not limited to dry wells, large-capacity cesspools, motor vehicle waste disposal wells, or other injection wells as defined at [40 CFR 146](#)) shall be prohibited with the exception of the following:
 - a. Air conditioning return flow wells used to return to the supply aquifer the water used for heating or cooling in a heat pump, if non-contact.
 - b. Cooling water return flow wells used to inject water previously used for cooling, if non-contact.
 - c. Barrier recharge wells used to replenish the water in an aquifer or to improve ground water quality, provided the injected fluid does not contain potential ground water contaminants.

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- d. Wells associated with the recovery of geothermal energy for heating, aquaculture and production of electric power, if non-contact.
- 10. **Bulk Delivery Transfer Area:** The transfer area for bulk delivery of liquids shall be required to accommodate and contain a release that occurs during loading and unloading of a tank as follows:
 - a. The liquid transfer area shall be constructed in a manner to prevent a release in the transfer area from reaching the ground water; and
 - b. The portion of the liquid transfer area intended to contain releases shall be maintained so that it is free of vegetation, cracks, open seams, open drains, siphons, or other openings that jeopardizes the integrity of the area.
- 11. **Disposal of Solid Waste:** No disposal of Solid Waste, as defined by [329 IAC 10-2-174](#), or other hazardous materials as defined by [40 CFR Part 355](#), or defined by the [County Code, "Hazardous Material Emergencies"](#) shall be permitted.
- 12. **Excavation Activities:** The following requirements apply to all excavation activities associated with the removal of sand and gravel materials:
 - a. If the extraction of sand and gravel involves the removal of materials below the normal groundwater level, then the work shall be performed by means of a dragline, floating dredge, or an alternative "wet" excavation method.
 - b. There shall be no de-watering of sites utilized for sand and gravel extraction.
 - c. No form of solid waste (as defined at [329 IAC 10-2-174](#)) or any other form of waste material of any kind, including but not limited to construction/demolition debris, shall be used on the site. Clean natural earth fill materials may be used without restriction as to origin or placement on-site.
 - d. All fuels, oils, lubricants, hydraulic fluids, petroleum products, or other similar materials on site shall have appropriate secondary containment, as specified by this Article.
- E. **Abandonment or Vacation of Wells or Wellfields:** Any person that is required to abandon or vacate a well or wellfield within the Jurisdiction of the Plan Commission, shall first apply for a permit to do so with the Public Works Department. The Property Owner abandoning or vacating a well must follow [312 IAC 13-10](#) to properly secure the well and wellfield.

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- F. **Table Summary of Prohibitions:** Below is a summary of the permitted and restricted activities within a Wellhead Protection Zone. Please refer to the text above for greater detail of the below summary:

Land Use	Wellhead Protection Zone	
	Zone 1 (1-Year Time of Travel)	Zone 2 (5-Year Time of Travel)
Sanitary land fills	prohibited	
On-site sewage disposal (commercial facilities)	prohibited	
Sand and gravel mining	permitted, "wet" excavation only and filled with clean fill	
Surface impoundments	prohibited (exceptions for stormwater, recreation, etc.)	
Detention and Retention Areas	permitted, if lined	permitted
New ASTs (>1,000 gallons)	prohibited	permitted with secondary containment at 110% volume
New ASTs (<1,000 gallons)	permitted with secondary containment at 110% volume	
Existing ASTs	permitted with secondary containment at 110% volume	
Storage of water soluble solids	prohibited in excess of 6,000 lbs.	permitted; shall prevent ground release and be maintained
New USTs	prohibited	permitted; requirements of 40 CFR Part 280 apply
Existing USTs	permitted if double-walled, includes leak detection and release detection on connection piping	permitted; requirements of 40 CFR Part 280 apply
Class 5 injection wells	prohibited	
Liquid transfer areas	permitted; shall prevent ground release and be maintained	

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CHAPTER 5

5.8 Chapter Amendment Log

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6.1 Accessory Use and Building Standards

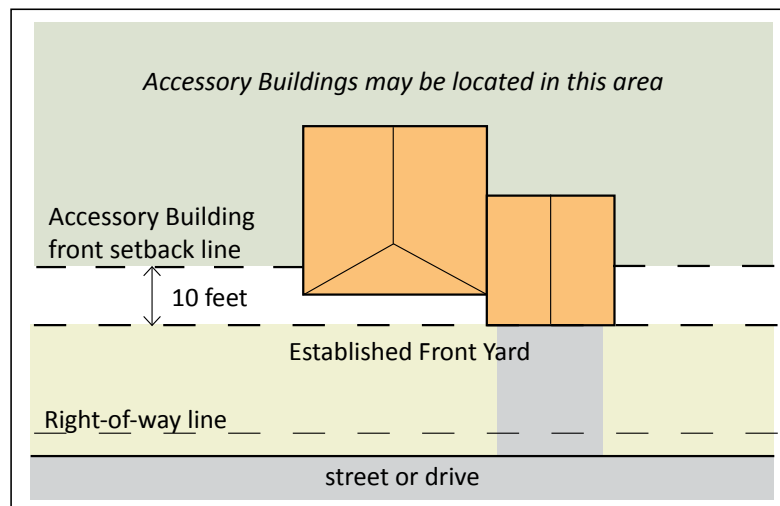
- A. **Permitted Use:** Accessory Buildings shall be permitted in all Zoning Districts in accordance with this Article. Accessory Uses shall be permitted in each Zoning District when determined by the Director that the use is incidental to the permitted and primary use, and that the use is consistent and compatible with the intent of the Zoning District in which it is located. Accessory Uses shall be conducted in accordance with this Article.
- B. **General Standards:**
1. Accessory Uses such as public utility installations, walks, driveways, curbs, retaining walls, mail boxes, name plates, lamp posts, bird baths and structures of a like nature are permitted in any required Front, Side or Rear Yard, and with the issuance of a permit as may be required.
 2. Accessory Buildings shall be subordinate in height, width, length and bulk to the Principal Building on the same Lot.
 3. Accessory Buildings shall be constructed in a manner that does not substantially alter the character of the vicinity in which such buildings are to be located.
 4. Accessory Buildings shall be held under the same ownership and maintenance as the Principal Building.
 5. Accessory Uses or Buildings such as large ground microwave antenna dishes shall be not permitted in an Established Front Yard or an Established Side Yard; however, a satellite receiver antenna which is two (2) feet in diameter or less may be installed in any location in accordance with the provisions of [IC 36-7-4-201.1](#).
 6. Windmills for the generating of electric power are not permitted in any Residential District except *AG-SF1: Agriculture / Single-Family Rural District* without receiving approval as a Special Exception (see also [Article 10.11 Special Exceptions](#)).
 7. The standards of this Ordinance shall not prevent the use of a temporary construction building to be utilized for the storage of tools, materials, and other equipment during the period of construction.
- C. **Declaration of Covenants:** Property owners are advised to refer to their Subdivision's Declaration of Covenants and Restrictions, if applicable, which may impose greater restrictions than are found herein.
- D. **Building Location:** Accessory Buildings shall be constructed on the same Lot as the Principal Building to which they are accessory and in accordance with this section. Accessory Buildings which are temporary may only be constructed in the Rear Yard.
1. **Lots in Subdivisions:**
 - a. **Front Setback:** No Accessory Building may be erected closer than ten (10) feet from the Established Front Yard.
 - b. **Side and Rear Setbacks:**

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- i. An Accessory Building of two hundred (200) square feet or less shall be a minimum of two and one half (2.5) feet from the Side and Rear Lot Lines and shall be located outside of all easements.
 - ii. An Accessory Building over two hundred (200) square feet shall meet the minimum Side and Rear Yard Building Setback Lines of the underlying Zoning District, except as otherwise established by this Article.
2. **Lots Not In Subdivisions:**
- a. **Front Setback:** Accessory Building(s) shall be located at least seventy-five (75) feet from all Rights-of-way. No Accessory Building may be erected in the Established Front Yard of a Principal Building.
 - b. **Side and Rear Setbacks:** Accessory Buildings shall meet the minimum Side and Rear Yard Building Setback Lines of the underlying Zoning District, except as otherwise established by this Article.

FIGURE 6.1(1): ACCESSORY BUILDING LOCATION

E. **Timing:**

1. No Accessory Building shall be constructed until the construction of the Principal Building on the same Lot has been commenced.
2. No Accessory Building shall be occupied/utilized unless the Principal Building on the same Lot is first legally occupied for a permitted use within the applicable Zoning District.
3. The construction of an Accessory Building shall be completed:
 - a. Within one (1) year of the issuance of a Building Permit, in the event that such permit is obtained individually; or
 - b. Within one (1) year of the completion of construction of the Principal Building, in the event that the Accessory Building's Building Permit is obtained at the same time that the Building Permit for the construction of the Principal Building is obtained.

F. **Maximum Accessory Building Height:** Eighteen (18) feet

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G. Swimming Pools:

1. Swimming pools shall be constructed on the same parcel as the Principal Building to which they are accessory.
2. Swimming pools shall not be constructed in the Established Front Yard.
3. Swimming pools shall be required to meet the same minimum Building Setback Line as the Principal Building to which they are accessory.
4. Access to residential pools shall be restricted by one (1) of the following means (in accordance with [I.A.C., Title 675, Article 14-4.3-296](#)):
 - a. Walls or fencing not less than four (4) feet high and completely surrounding the pool and deck area with the exception of self-closing and latching gates and doors, both capable of being locked.
 - b. Other means not less than four (4) feet high and deemed impenetrable by the Director at the time of construction and completely surrounding the pool and deck area when the pool is not in use.
 - c. A combination of subsections (a) and (b) that completely surrounds the pool and deck area with the exception of self-closing and latching gates and doors which are capable of being locked. This applies to subsections (a), (b) and (c) only.
 - d. A power safety pool cover that:
 - i. Shall provide a continuous connection between the cover and the deck area, so as to prohibit access to the pool when the cover is completely drawn over the pool;
 - ii. Shall be mechanically operated such that the cover cannot be drawn open or retracted without the use of a:
 - (a) key; or
 - (b) key and switch; or
 - (c) touch pad with a personal access code;
 - iii. Is installed with track, rollers, rails, guides, or other accessories necessary to accomplish items (i) and (ii), in accordance with the manufacturer's instructions; and
 - iv. Shall bear an identification tag indicating that the cover satisfies the requirements of ASTM F 1346–19 (Reapproved 2003), Standards Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas, and Hot Tubs, as published by ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, Pennsylvania 19428-2959 for power safety pool covers.

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- H. **Screening of Receptacles and Loading Areas:** These standards shall apply to all garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas and other similar facilities in all Zoning Districts; however, these standards shall not apply to Single-family Dwellings:
1. Garbage containers, trash receptacles, pallet storage areas, trash compactors, recycling areas, loading areas and other similar facilities shall be completely and permanently screened from view of Rights-of-way and where possible, adjoining properties.
 2. Enclosures shall not be located in an Established Front Yard or in any required Side or Rear Yard.
 3. Screening methods shall include a solid enclosure on all sides not less than six (6) feet in height above grade or two (2) feet above the receptacle, whichever is greater.
 4. Enclosures shall be constructed of a Masonry Material that matches or complements the Principal Building, as illustrated in FIGURE 6.1(2): DUMPSTER ENCLOSURES.

FIGURE 6.1(2): DUMPSTER ENCLOSURES



5. Enclosures shall be equipped with opaque gates, as illustrated in FIGURE 6.1(2): DUMPSTER ENCLOSURES, that shall not be oriented towards residential properties or the Right-of-way, where possible.
6. Man-doors which do not include swinging, moveable doors are encouraged to provide daily access to dumpsters for waste disposal. See FIGURE 6.1(3): DUMPSTER MAN-DOORS.
7. Enclosures, which include swinging, moveable doors, shall be kept closed at all times when said doors are not in active use.
8. Landscaping shall be provided around enclosures in accordance with [Article 6.8 Landscaping Standards](#).

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FIGURE 6.1(3): DUMPSTER MAN-DOORS



I. **Agriculture-Related Accessory Buildings and Uses:**

1. **Regulated as Principal Buildings:** Accessory Buildings for the following uses shall be exempt from Sections (B)(2) General Standards, (D) Building Location, and (F) Maximum Accessory Building Height of this Article: Agricultural Uses, Agritourism Uses, Equestrian Facilities, Hobby Farms, and Nurseries. Rather, Accessory Buildings for these uses shall be meet the maximum Building Height and minimum Building Setback Line standards of the underlying Zoning District. See also [Article 6.4 Building Standards](#).
2. **Hobby Farms:** In addition to the applicable standards of this Article and those of the applicable Zoning District set forth in [CHAPTER 4: ZONING DISTRICTS](#), the following shall apply to Hobby Farms:
 - a. **Minimum Lot Area:** Five (5) acres
 - b. **Minimum Side and Rear Yard Building Setback Line:** 100 feet; however, there shall also be a Building Separation of two hundred (200) feet from an existing Dwelling Unit on an adjacent Lot (at the time of installation of the Hobby Farm structure). If the abutting Property Owner executes a consent to a reduced setback, then the Building Setback Line may be reduced along that shared Lot Line, but in no instance may the setback be less than thirty (30) feet.
 - c. **Maximum Structure Standards:**
 - i. Maximum Size of Hobby Farm structure: 2,400 square feet
 - ii. The maximum aggregate floor area of all Hobby Farm structures on a single Lot shall not exceed two percent (2%) of the Lot Area.
 - iii. No more than five (5) total Hobby Farm structures shall be permitted on a single Lot.

J. **Home Businesses:** See [Article 6.7 Home Business Standards](#).

K. **Outside Storage and Display:** See [Article 6.12 Outside Storage and Display](#).

L. **Outdoor Cafe and Eating Areas:** See [Article 6.13 Outdoor Café and Eating Areas](#).

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6.2 Adult Entertainment Establishment Standards

A. **Definitions:** For the purposes of this Article, the following terms, phrases, and words shall have the meanings given herein.

1. **Adult Booth:** Any area of an adult entertainment establishment set off from the remainder of such establishment by one (1) or more walls or other dividers or partitions and used to show, play, or otherwise demonstrate any adult materials or to view any live performance that is distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
2. **Adult Cabaret:** Any commercial establishment that as a substantial or significant portion of its business features or provides any of the following:
 - a. Persons who appear nude or semi-nude.
 - b. Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
 - c. Films, motion pictures, video or audio cassettes or discs, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.
3. **Adult Entertainment Establishment:** An Adult Cabaret, Adult Store, or Adult Theater.
4. **Adult Material:** Any of the following, whether new or used:
 - a. Books, magazines, periodicals, or other printed matter, or digitally stored materials.
 - b. Films, motion pictures, video or audio cassettes or discs, slides, computer displays, or other visual representations or recordings of any kind, that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.
 - c. Instruments, novelties, devices, or paraphernalia that are designed for use in connection with Specified Sexual Activities, or that depict or describe specified anatomical areas.
5. **Adult Store:** Any commercial establishment (a) that contains one (1) or more adult booths; (b) that as a substantial or significant portion of its business offers for sale, rental, or viewing any adult materials; or (c) that has a segment or section devoted to the sale or display of adult materials.
6. **Adult Theater:** Any commercial establishment that as a substantial or significant portion of its business features or provides films, motion pictures, video or audio cassettes or discs, slides, or other visual

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representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

7. Commercial Establishment: Any place where admission, services, performances, or products are provided for or upon payment of any form of consideration.
8. Nude or State of Nudity: A state of dress or undress that exposes to view (i) less than completely and opaquely covered human genitals; pubic region; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed; or (ii) human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.
9. Protected Uses:
 - a. A church, synagogue, mosque, or other place of worship.
 - b. A public or private nursery school or any other public or private school serving any one (1) or more of grades K through 12.
 - c. A child care facility, licensed by the Indiana Family and Social Services Administration.
 - d. A public or private park, playground or playing field.
 - e. A public or private cemetery.
 - f. A public housing facility.
10. Residential Property: Any Lot or other tract of land zoned any of the following Zoning Districts: AG-SF1, AG-SF1-I, SF1, SFA, SF2, SF3, SF4, SF5, MF1 and MF2. Also, any Lot or other tract of land zoned in any of the following Zoning Districts and used for residential purposes: GO, GO-PD, LB, LB-H, LB-PD, GB, GB-PD, SB-PD, EI, EI-PD and OI-PD or any PUD.
11. Semi-Nude: A state of dress or undress in which clothing covers no more than the human genitals, anus, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.
12. Specified Anatomical Areas: Any of the following:
 - a. Less than completely and opaquely covered human genitals; pubic region; buttocks; anus; or female breast below a point immediately above the top of the areola, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not exposed.

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- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

13. Specified Sexual Activities: Any of the following:

- a. Fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
- b. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy.
- c. Masturbation, actual or simulated.
- d. Human genitals in a state of sexual stimulation, arousal, or tumescence.
- e. Excretory functions as part of or in connection with any of the activities set forth in paragraphs (a), (b), (c), or (d) of this definition.

B. Location Standards:

1. Requirements: Except for existing legal nonconforming uses governed pursuant to Section C of this Article, Adult Entertainment Establishments located, established, maintained, or operated on any Lot shall also comply, in addition to complying with all other applicable regulations set forth in these regulations, with the regulations set forth below. In the event of a conflict between the provisions of any other such regulations and the regulations set forth below, then the regulations set forth below shall control to the extent of any conflict.
2. Permitted Zoning Districts: Adult Entertainment Establishments shall only be permitted in the *Ol: Open Industrial District*.
3. Minimum Separation Requirements: No Adult Entertainment Establishment shall be located, established, maintained or operated on any Lot that has a property line within:
 - a. One thousand (1,000) feet of the property line of any other Lot on which any other Adult Entertainment Establishment is located, established, maintained, or operated;
 - b. Five hundred (500) feet of the property line of any other Lot on which a Protected Use is located, established, maintained, or operated;
 - c. Five hundred (500) feet of the property line of any residential district or residence; or
 - d. One thousand (1,000) feet of a right-of-way line of any Federal or State highway.
4. Measurement: For the purposes of this Article, distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point on the property line of the lot on which the Adult Entertainment Establishment is located to the nearest point on a property line of (i) any residential property or (ii) any Lot on which a Protected Use or other Adult Entertainment Establishment, as the case may be, is located, established, maintained, or operated, or (iii) the right-of-way line of any Federal or State highway.

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5. **Limited Exception:** An Adult Entertainment establishment lawfully operating under these regulations and under the City's adult use licensing ordinance shall not be deemed to be in violation of the location restrictions set forth herein solely because (i) a Protected Use subsequently locates within the minimum required distance of the Adult Entertainment Establishment, (ii) a business that sells or dispenses alcoholic beverage subsequently locates within the same building as the Adult Entertainment Establishment, or (iii) property within the minimum required distance of an Adult Entertainment Establishment subsequently becomes residential property. This subsection shall not apply to an Adult Entertainment Establishment at a time when an application for an "adult entertainment license" under the City's adult use licensing ordinance for that establishment is submitted after the license has previously expired, has been revoked, or is at that time under suspension.
- C. **Termination of nonconforming adult entertainment establishments upon amortization:** Any Adult Entertainment Establishment that is deemed under the provisions of these regulations to be a Nonconforming Use, and that has not been terminated pursuant to any other provision of this Article, shall be converted to a conforming use or shall be terminated not later than three hundred sixty-five (365) days after the effective date of these standards.

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6.3 Architectural Standards

- A. **Purpose and Intent:** The implementation of various design standards is a catalyst to ensure quality construction for present and future developments and to create variation and interest in the built environment.
- B. **Applicability:** The standards of this Article shall apply to all buildings constructed within the Zoning Districts as set forth below. Single Family Dwellings permitted and constructed in non-Residential Districts shall comply with the Single-family District (Residential Uses) architectural standards.
- C. **Single-family Districts (Residential Uses):** All new Single-family Dwellings located in a Major Subdivision shall comply with the following:
1. **Perimeter Lots:** At minimum of one (1) of the following two (2) design objectives shall be met for Dwellings on Lots adjacent to an External Street, adjacent to a common area abutting an External Street, or adjacent to an alternative transportation corridor bearing a designation on the Thoroughfare Plan (collectively, "Perimeter Lot"):
 - a. **Front Facade Orientation:** Dwellings on Perimeter Lots shall be designed so the Front Building Facade is oriented toward the External Street or alternative transportation corridor. This design objective may be accomplished through the utilization of a Frontage Road; or
 - b. **Rear/Side Building Facade Enhancements:** Dwellings on a Perimeter Lot with a side or rear Building Facades oriented toward an External Street or alternative transportation corridor shall utilize architectural features in accordance with the following:
 - i. **Minimum Requirement:**
 - (a) A rear Building Facade oriented towards an Arterial Street shall incorporate a minimum of seven (7) points from the list of architectural features.
 - (b) A rear Building Facade oriented towards a Collector Street or alternative transportation corridor shall incorporate a minimum of five (5) points from the list of architectural features.
 - (c) A side Building Facade oriented towards an External Street or alternative transportation corridor shall incorporate a minimum of four (4) points from the list of architectural features.
 - ii. **Architectural Features:** All architectural features listed below are worth one (1) point unless indicated otherwise.
 - (a) Main Roof Design (a maximum of two (2) points from this subsection may qualify):
 - (1) Two (2) or more dormers.
 - (2) Twelve (12) inch overhangs around the entire Dwelling, as measured prior to the installation of Masonry Materials.
 - (3) A minimum roof pitch of 8:12 around the entire Dwelling.
 - (4) Two (2) or more gables.
 - (b) Exterior Materials:

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- (1) One hundred percent (100%) Masonry Materials around the entire Dwelling, as architecturally appropriate (i.e. exception for areas above the main roof line)(2 points); or
 - (2) Full first floor Masonry Materials around the entire Dwelling (exclusive of openings).
 - (c) Facade Projections or Recessions (a maximum of three (3) points from this subsection may qualify):
 - (1) A minimum of one (1) four-foot (4') deep offset the entire vertical plane of the Building Facade.
 - (2) A minimum of two (2) two-foot (2') deep offsets the entire vertical plane of the Building Facade.
 - (3) Sunroom (minimum sixty-four (64) square feet)(2 points).
 - (4) Screened-in porch (minimum sixty-four (64) square feet).
 - (5) Covered patio or covered porch (minimum one hundred and forty-four (144) square feet).
 - (6) Exterior fireplace chase covered with Masonry Material.
 - (7) Second floor cantilever with a minimum depth of one (1) foot projecting over the first floor and minimum length of thirty percent (30%) of the total length of the rear Building Facade.
 - (d) Windows (a maximum of two (2) points from this subsection may qualify):
 - (1) Decorative shutters on all windows of the Dwelling, as architecturally appropriate.
 - (2) Multiple Masonry Material detailing (e.g., quoins, keystones, arches, soldier courses), as architecturally appropriate.
 - (3) A minimum of seventy-five (75) square feet of windows.
 - (4) Bay window (a minimum of six (6) feet wide) (shall not qualify as a point if the bay window is used to meet subsection (2) above).
 - (5) Minimum five and one-half inch (5-1/2") wide trim around all windows of the Dwelling.
 - iii. Streetscape Diversity for Perimeter Lots: The rear Building Facade of Dwellings on adjacent Perimeter Lots may not have more than three (3) of the same architectural features that qualify towards meeting the above requirements.
2. Streetscape Diversity: At minimum of two (2) of the following three (3) design objectives shall be met:
- a. The front façade of a front-load garage shall be recessed from the Front Building Facade by at least one-half (0.5) of the depth of the Principal Building on the Lot.
 - b. Building Setback Lines shall vary within each Block to eliminate monotonous building placement.

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- c. Single-Family Dwellings located on adjacent Lots with a Front Lot Line abutting the same Street shall, at the time of the issuance of the Certificate of Occupancy:
 - i. Be a significantly different front Building Facade (i.e. architectural style, roof lines, window placement, proportion of siding materials) than the adjacent Lot. Minor variations in architectural features or materials (i.e. shutters, door styles, siding patterns) shall not qualify as significantly different if the Dwelling on the adjacent Lot is of a similar floorplan;
 - ii. Have a different primary siding color than the adjacent Lot; and
 - iii. Have a different color from the adjacent Lot for at least one (1) of the following exterior elements: Masonry Material, the trim, any accent siding (e.g., board and batten, shake).
 3. **Building Materials:** In order to create variation and interest in the built environment, roofing and siding materials on all Building Façades shall be restricted as follows:
 - a. Rolled roofing or tar paper, as the visible final layer of roofing materials, shall be prohibited.
 - b. Vinyl siding on more than twenty-five percent (25%) of any Building Façade, exclusive of window, doors or other openings, shall be prohibited.
 4. **Garages in the SFA District:** All Dwelling Units in the *SFA: Single-Family Attached District* shall have a two (2) car garage with matching driveway and all garage door openings shall be off set from the Street (on which the Dwelling is addressed from or fronts) by at least thirty (30) degrees.
- D. **Single-family Districts (Non-Residential Uses):** All non-residential uses in a Single-family District shall comply with the following:
 1. **Building Orientation:**
 - a. No loading spaces or loading docks shall be permitted to face a Street.
 - b. Loading spaces or loading docks facing or oriented to a Side or Rear Lot Line of an adjoining Residential District shall be screened from view from such Residential District by the use of: (i) evergreen trees; or, (ii) a combination of overstory, understory or evergreen trees and a solid wall or fence, which creates a dense visual barrier to a minimum height of six (6) feet.
 2. **Building Materials:** In order to insure compatibility of non-residential uses with surrounding residential uses in Residential Districts, all nonresidential uses shall use exterior building materials, roof line treatments and roofing materials that are compatible with and consistent with residential construction methods and materials.

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E. **Multi-Family Districts:** All new buildings within a Multi-family District shall comply with the following:

1. **Building Separation:** Building(s) shall be designed so the distance between a window of a room intended for human habitation shall be not less than forty (40) feet from the wall of any adjacent structure (such distance to be measured by a line perpendicular to the plane of the surface of said window); however, this distance may be reduced to not less than thirty (30) feet for an exposure to a utility room (e.g., bathroom, laundry) or community room (e.g., group meeting room or similar purpose).
2. **Building Design:**
 - a. **Building Facade:** A Building Facade shall be designed with a projection or recession in the entire vertical facade plane of the exterior walls of not less than six (6) feet in depth for every two (2) Dwelling Units.
 - b. **Four-Side Architecture:** Design detailing shall be continued completely around the building consistent with the building's intended architectural style. Detailing elements shall include, but are not limited to, number and style of windows, window placement, trim detailing, roof design, and exterior materials.
3. **Building Materials:**
 - a. **Permitted Materials:** Permitted exterior materials shall include Exterior Insulation and Finish System (E.I.F.S.), synthetic stucco, Masonry Materials, wood, Fiber Cement Siding, and Polymeric Cladding. Aluminum and vinyl siding shall be prohibited.
 - b. **Masonry Materials:** A minimum seventy-five percent (75%) of each Building Facade, excluding windows and doors, shall be Masonry Materials.
 - c. **Diversity of Materials:** Each Building Facade shall utilize a minimum of two (2) different exterior building materials (excluding window, door, and roofing materials). A different style of the same building material (e.g., horizontal and shake style Fiber Cement Siding) does not constitute two different building materials.
4. **Windows:** All windows shall be a minimum size of fifteen (15) square feet and shall have treatment consisting of either: (i) shutters (that match the size of the window); or (ii) casing (a minimum of three and one-half (3.5) inches in dimension).
 - a. For windows in a Building Facade consisting of a Masonry Material, then the treatment shall be of natural or Masonry Material and shall be applied to at least the window sill.
 - b. For windows in a Building Facade consisting of a non-Masonry Material, then the windows shall be trimmed to match the architectural style of the building.
5. **Roof Design:**
 - a. **Minimum Pitch:** The minimum roof pitch of the building's primary or main roof shall be 6:12. Elements such as porches, bays, walkways,

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- etc., may be covered with a lower roof pitch. Lower roof pitches may occur on rear elevations if concealed by side roof elements.
- b. **Minimum Overhang:** The roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of Masonry Materials.
 - c. **Roof Form:** The roof form and pitch design of a building shall include, where appropriate, varied pitches and ridge levels in accordance with the intended architectural style of the Building and the Building Facade projections.
6. **Streetscape Variety:**
- a. Building elevations of similar floor plans shall have a variety in style, massing and use of materials and detailing of elements. The same elevation may occur as buildings are grouped together if each building plan has a minimum of two (2) different elevation styles.
 - b. If more than one (1) building is proposed, then the building(s) shall be located so that no more than two (2) buildings are in a straight, unbroken line. An unbroken line shall include an offset in the building setback a minimum of one-third (1/3) the height of the adjacent building.
- F. **Business Districts:** All new nonresidential buildings or additions located within a Business District shall comply with the following:
1. **Mechanical Screening:** All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served in accordance with [Article 6.8 Landscaping Standards](#).
 2. **Building Materials:**
 - a. **External Facades:** Each Building Façade visible from a Street, oriented to an adjoining Residential District, or oriented to an alternative transportation corridor bearing a designation on the Thoroughfare Plan (collectively, "External Façade"), shall comply with the following:
 - i. Shall be one hundred percent (100%) Masonry Materials, excluding window, door, roofing, fascia and soffit materials; or
 - ii. Shall incorporate two (2) or more building materials, excluding window, display window, door and roofing materials; provided, however, that a minimum of sixty percent (60%) of the Building Façade shall be Masonry Materials.
 - b. **All Other Facades:** No more than twenty-five percent (25%) of all other Building Facades, exclusive of windows (including faux windows and glazing), doors and loading berths, may be covered with metal, Fiber Cement Siding, Polymeric Cladding, E.I.F.S., stucco, or vinyl exterior building materials.
 - c. **General Standards:**
 - i. The exterior building material selection for all Building Facades shall be supplemented with: (i) the use of multiple colors, multiple textures (e.g., rough, smooth, striated, etc.); or (ii) the

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addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).

- ii. No loading spaces, loading docks or oversized service doors shall be permitted on an External Facade, as defined herein.
3. Architectural Theme: Buildings and structures within a single development shall share a common architectural style.
4. Four-sided Architecture: All Building Facades visible from an adjacent Lot or Street shall be constructed with the same building material quality and level of architectural detail on all Building Facades (e.g., 360 degree architecture).
5. Building Elevations:
 - a. Horizontal Design: All Building Facades shall have a defined base or foundation, a middle or modulated wall, and a top formed by a pitched roof or articulated, cornice or moulding.
 - b. Wall Planes: Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Buildings less than ten thousand (10,000) square feet in Gross Floor Area shall be designed with offsets at interval of not greater than forty (40) feet. Offsets shall extend the entire vertical plane of the Building Facade and shall be a minimum depth of four (4) feet and a minimum aggregate length of twenty percent (20%) of the horizontal plane of the overall Building Facade. The offset may be met with setbacks of the Building Facade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.
6. Gutters and Downspouts: Shall be visually integrated with the architectural style of the structure. The color of gutters and downspouts shall be selected to complement or to be consistent with the building materials.
7. Roof Design:
 - a. Pitched Roofs: Pitched roofs shall comply with the following:
 - i. Minimum Pitch: 5 (vertical units): 12 (horizontal units).
 - ii. Shall be comprised of three (3) or more roof slope planes.
 - iii. Shall be covered with high quality roofing materials such as natural clay tiles, slate, concrete tiles (with natural texture and color), high quality standing seam metal roofing, wood shakes or shingles (with adequate fire protection), three-dimensional asphalt or fiberglass shingles. Metal roofs shall have a low-gloss finish to reduce glare.
 - b. Flat Roofs: Flat roofs shall comply with the following:
 - i. Flat roofs are permitted if edged by a parapet wall with an articulated, three-dimensional cornice or moulding.
 - ii. Parapet walls shall be fully integrated into the architectural design of the building to create seamless design transitions

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between the main building mass and roof-mounted architectural elements (which may include screening elements for roof-mounted equipment).

- iii. Modulation or variation of the roofs and/or roof lines shall be required in order to eliminate the appearance of box-shaped buildings.
 - iv. Flat roofs shall be prohibited for one-story buildings in the *LB: Local and Neighborhood Business District*, unless otherwise approved by the Plan Commission or Director after consideration of the building architecture, building context, and sensitivity to the residential character of the area.
- c. General Standard: All visible vents, attic ventilators, turbines, flues and other visible roof penetrations shall be: (i) painted to match the color of the roof or flat black; and (ii) oriented to minimize their visibility from adjacent Lots and Streets.
8. Main Entrances:
- a. Building entrances shall be clearly defined and articulated by multiple architectural elements such as lintels, pediments, pilasters, columns, awnings, porticos and other design elements appropriate to the architectural style and details of the building as a whole.
 - b. The location, orientation, proportion and style of doors shall complement the style of the building.
9. Windows:
- a. All window designs shall be compatible with the style, materials, color, details and proportion of the building. The number of window panes, the number of window openings, window trim and other architectural design elements designed to accent the windows shall be consistent with and complementary to the architectural style of the building.
 - b. Window trim and other architectural design elements designed to accent the windows shall be required for all windows. Acceptable design elements include shutters, keystones, masonry arches, awnings, decorative stone frames, masonry rowlock frames, or other such trim or design elements as approved by the Plan Commission or Director.
10. Awnings:
- a. Fixed or retractable awnings are permitted if they complement the building's architectural style, material, colors and details.
 - b. Awnings shall be made of a non-reflective material.
 - c. All awnings shall be kept in good repair.
 - d. Metal or aluminum awnings are prohibited.
 - e. Awnings used to comply with the architectural design requirements of this Ordinance shall not be removed unless the Building Facade would otherwise comply with such architectural design requirements without such awnings.

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11. **Gasoline Service Station Canopies:** This section shall apply to canopies for all Gasoline Service Stations:
 - a. **Materials:** The support structures for canopies shall be wrapped in Masonry Materials to complement the Principal Building. Canopy fascia and canopy roof materials shall match the color and texture of the Principal Building.
 - b. **Height:** In order to reduce the visual impact of the canopy structure and corresponding lighting, the maximum height of the canopy clearance shall be sixteen (16) feet and the maximum top of the canopy shall be twenty-two (22) feet. The maximum width of the canopy fascia shall be thirty (30) inches.
 - c. **Roof Design:** A canopy shall include a pitched or sloped roof design.
 12. **Accessory Buildings:** All Accessory Buildings shall be architecturally compatible with the Principal Building(s) with which they are associated.
- G. **Industrial Districts:** All new nonresidential buildings or building additions located within an Industrial District shall comply with the following:
1. **Mechanical Screening:** All roof or ground mounted mechanical equipment shall be completely enclosed. Ground-mounted enclosures for mechanical equipment shall be landscaped on all sides not facing the building served in accordance with [Article 6.8 Landscaping Standards](#).
 2. **Building Facades:**
 - a. **External Facades:** Each Building Façade visible from a Street, oriented to an adjoining Residential District, or oriented to an alternative transportation corridor bearing a designation on the Thoroughfare Plan (collectively, “External Façade”), shall comply with the following:
 - i. A minimum of sixty percent (60%) of the Building Façade (exclusive of window and doors) shall be Masonry Materials.
 - ii. Building Facades, which are ninety (90) feet or greater in length, shall be designed with offsets (projecting or recessed) at intervals of not greater than sixty (60) feet. Offsets shall extend the entire vertical plane of the Building Façade and shall be a minimum depth of four (4) feet and a minimum aggregate length of twenty percent (20%) of the horizontal plane of the overall Building Façade. The offset may be met with setbacks of the Building Façade and/or with architectural elements (i.e. arcades, columns, ribs, piers, and pilasters), if such architectural elements meet the minimum offset requirements of this requirement.
 - iii. No loading spaces, loading docks or oversized service doors shall be permitted on an External Façade, as defined herein.
 - b. **All Building Facades:** If materials other than Masonry Materials are utilized on any Building Façade, then the Building Façade shall be supplemented with: (i) the use of multiple colors and textures (e.g., rough, smooth, striated, etc.); or (ii) the addition of architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.).

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6.4 Building Standards

- A. **General Standard:** Every building hereafter erected shall be located on a Lot and in accordance with this Ordinance.
- B. **Minimum Building Separation:** If a minimum Building Separation requirement is not otherwise provided by the Zoning District of a Lot that permits multiple Principal Buildings, then the minimum Building Separation requirement of the Zoning District's minimum Side Yard Building Setback Line shall apply.
- C. **Single-family Residential Uses:** In no case shall there be more than one (1) Principal Building used for residential purposes, and its Accessory Buildings, located on one (1) Lot, except as otherwise permitted herein.
- D. **Multi-family Residential Uses:** More than one (1) Principal Building used for residential purposes, and its Accessory Buildings, shall be permitted on a Lot in a Multi-family District.
- E. **Industrial and Business Uses:** More than one (1) Principal Building shall be permitted on a Lot in an Industrial or Business District when such buildings are devoted to Industrial or Business Uses.
- F. **Agriculture-Related Uses:** More than one (1) Principal Building shall be permitted on a Lot for the following uses: Agricultural Uses, Agritourism Uses, Equestrian Facilities, Hobby Farms, and Nurseries.

6.5 Fence Standards

- A. **Applicability:** These standards shall apply to all Zoning Districts.
- B. **Location:** Fences may be built directly along Lot Lines; however, fences shall not encroach into either the existing or proposed Right-of-way, as indicated on the Thoroughfare Plan, nor into easements that otherwise prohibit the installation of fences (e.g., drainage and utility easements).
- C. **Height Limitations:**
 1. Fence height is measured from the topmost point thereof to the grade of the ground adjacent to the fence. Any fence placed upon an erected mound or berm or masonry wall must govern its total height to the limitations herein.
 2. Fences located within a required Side or Rear Yard of a residential lot shall not exceed six (6) feet in height.
 3. Fences located within a required or Established Front Yard of a residential lot shall not exceed forty-two (42) inches in height.
 4. Open wire mesh fences surrounding tennis courts that only enclose a regulation court area and standard apron areas may be erected to a height of sixteen (16) feet.
 5. Fences enclosing an Institutional Use or a business or industrial property may consist of an open mesh fence not to exceed a height of ten (10) feet, unless otherwise further restricted by this Ordinance.

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6. Fences for Agricultural Uses shall not be subject to height limitations.
- D. **Opaque Fences:** Fences shall be installed so the finished side of the fence is facing outward (e.g., toward the Lot Line). Fences on a Lot Line in which two (2) or more Property Owners share in the expense of the fence shall not be subject to this provision.
- E. **Outdoor Screening:** Fences for screening of permitted outside storage or display areas shall also comply with [Article 6.12 Outside Storage and Display](#).
- F. **Vision Clearance:** Fences shall comply with [Article 6.19 Vision Clearance Standards](#).
- G. **Declaration of Covenants:** Property Owners are advised to refer to their Subdivision's Declaration of Covenants and Restrictions, if applicable, which may impose greater restrictions than are found herein.

6.6 Height Standards

- A. **Applicability:** No building shall be erected, reconstructed or structurally altered to exceed in height the limits established and specified for the use of the Zoning District in which such building is located except as otherwise provided by this Article.
- B. **Residential Districts:** In Single-family Districts in which Building Height is limited to twenty-five (25) feet, a Dwelling may be increased in height not to exceed thirty-five (35) feet, provided that both Side Yards are increased an additional one (1) foot for each foot such building exceeds twenty (25) feet in height.
- C. **Non-Residential Districts:** In Business or Industrial Districts, the maximum Building Height requirements of the Zoning District may be increased if buildings are set back from Lot Lines, one (1) foot for each two (2) feet of additional height above forty-five (45) feet, or the Zoning District's maximum Building Height, whichever is less.
- D. **Buildings for Agricultural Uses:** If a building used for Agricultural Uses has a minimum roof pitch of five (5)(vertical units) to twelve (12)(horizontal units), then the maximum Building Height for such building may be increased in height not to exceed forty-five (45) feet.
- E. **Exceptions:** In all Zoning Districts, spires, church steeples, chimneys, cooling towers, stacks, tanks, water towers, elevator bulkheads, fire towers, scenery lofts, power transmission lines or towers and distribution poles and lines, and essential mechanical appurtenances may be erected to any height not prohibited by other laws or ordinances.

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6.7 Home Business Standards

- A. **Permitted:** Home Businesses shall be permitted in Zoning Districts as set forth in [CHAPTER 13: USE TABLE](#).
- B. **Home Businesses:** Professional services and domestic occupations, crafts or services which, as typically carried out can be conducted in a Dwelling without impairment of the use thereof as a place of residence and with no detrimental effect upon adjacent residential properties, are permitted Home Businesses. Examples of permitted Home Businesses include:
1. Art Studio.
 2. Beauty Salon (one chair operated by a resident).
 3. Business conducted entirely by mail and/or web-based.
 4. Seamstress or tailor.
 5. Home garage sales not to exceed seven (7) days per year.
 6. Home bound schools for twelve (12) or less full-time or part-time children including residents of the home.
 7. Personal motor vehicle sales not to exceed two (2) vehicles per year.
 8. Professional office of a clergyman, lawyer, architect, accountant, counselor, or consultant.
 9. Repairing, servicing or refurbishing equipment or parts, excluding motor vehicles, as long as the work is entirely within the Dwelling and performed by members of the family living in the Dwelling.
 10. Teaching (e.g., musical instruments or dancing).
 11. Office support services (e.g., data entry, research, telephone-based services).
 12. Childcare home in accordance with [I.C. 36-7-4-1108](#).
- C. **Zoning District Standards:** In addition to the standards set forth in this Article, permitted Home Businesses shall comply with all other standards set forth in the respective Zoning District.
- D. **Home Business as an Accessory to Dwelling:** All Home Businesses shall comply with the following standards:
1. **Home Business Subordinate to Primary Use:** The Home Business shall be clearly incidental and subordinate to the primary residential use of the Lot. The primary use of the Dwelling shall remain residential.
 2. **Primary Residence of Operator:** The operator of the Home Business shall make the Dwelling within which the Home Business is conducted their legal and primary residence.
 3. **Activity Limited to Dwelling Unit:** All aspects of the Home Business activity that occur on the Lot shall be conducted within the dwelling structure in which the operator makes their actual residence. For purposes of this Article, only areas completely enclosed by walls and

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under the same roof system as the living quarters shall be considered a part of the “dwelling structure.”

- E. **Residential Character:** Any Dwelling containing a Home Business shall maintain its residential character in accordance with the following:

1. **Structural Improvements:**

- There shall be no room additions, enlargements, structural, or exterior aesthetic alterations that change the residential character of the Dwelling or Lot.
- There shall be no exterior, structural, or aesthetic alterations to the Dwelling to accommodate the Home Business that would effect the interior of the Dwelling and would render it undesirable for residential use or habitation.
- There shall be no additional or separate exterior entrances to the Dwelling for the purpose of conducting business or to accommodate the Home Business.

2. **Walk-in Retail Sales:** Walk-in / walk-up retail sales shall not be permitted.

3. **Parking:** No provision for off-street parking or loading facilities, other than the requirements of the applicable Zoning District, shall be permitted. No part of a minimum required Yard shall be used for off-street parking or loading purposes. No additional driveway to serve the Home Business shall be permitted.

4. **Exterior Storage or Display:** There shall not be any exterior storage or display of products, trailers, equipment or materials used in connection with the Home Business. No external evidence of the Home Business shall be permitted.

5. **Utilities:** The Home Business shall not require the increasing or enhancing of the size, capacity, or flow of the water, gas, septic, sewer, electrical systems, or trash removal types or volumes beyond what is standard for a residence.

6. **Equipment:** The equipment used for the Home Business shall be limited to computers, fax machines, telephones, copy machines, other small office equipment, and other similar equipment that may typically be found in a Dwelling, as determined by the Director. Manufacturing operations shall be prohibited.

7. **Gross Floor Area:** No more than fifteen percent (15%) of the Gross Floor Area of structures on the Lot shall be used for a Home Business.

8. **Signs:** Signs shall comply with [Article 6.17 Sign Standards](#).

F. **Additional Standards:**

1. **Vehicles:** Except for purposes of loading and unloading, vehicles of one-ton capacity or more, or more than twenty (20) feet in length, shall not park on the Lot on which the Home Business is conducted or on any Street adjacent thereto.

2. **Hours of Operation:** Hours of operation shall not interfere with the use



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and enjoyment of adjacent residential properties.

3. **Employees:** The Home Business shall not involve the employment of any person that works in the Dwelling or on the Lot other than those residing in the Dwelling of the Home Business.
4. **Nuisances:** No Home Business shall create electrical interference (e.g., interfere with local radio and television reception), odors, noise, vibration, light, smoke, fumes, or anything offensive.
- G. **Appeals:** Any use purported as a Home Business may be deemed not permitted if, in a public hearing on the matter, the Board rules the use to be a nuisance or that it does not comply with this Article. The Director or any person reasonably affected by the Home Business may request such a hearing in accordance with [Article 10.3 Appeals of Administrative Decisions](#).

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6.8 Landscaping Standards

A. Purpose and Intent:

1. This Article establishes regulations for the preservation of natural features and minimum standards for the provision, installation, and maintenance of landscape materials. The regulations specified herein are intended to promote the health, attractiveness, and safety of the community; foster aesthetically pleasing and environmentally sensitive development that protects and preserves the appearance and character of the community; and encourages the preservation of Natural Areas.
2. This Article establishes standards to manage and control drainage and erosion; to increase the compatibility of development with the natural environment and adjacent developments; to encourage connectivity through the use of a pedestrian network; and to maintain and increase the value of land by requiring landscaping to be incorporated into developments. The standards set forth herein promote important physical and psychological benefits through the use of landscaping to reduce noise and lighting; promote innovative and cost conscious approaches to the design, installation, and maintenance of landscaping; and establish procedures and standards for the administration and enforcement of this Article.

B. Applicability:

1. This Article shall apply to Development in all Zoning Districts, except for detached Single-family Dwellings not located within a Major Subdivision.
2. Plantings and landscaping features required by this Article shall be subject to inspection to verify continued compliance with this Article.

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

1. Landscape Plans shall be submitted for all required landscaping, green belt buffer areas, Buffer Yards, Open Space areas, conservation easements, landscape easements, and areas owned in common within proposed developments. It is recommended that Landscape Plans be prepared by licensed landscape architects, nurserymen, or other professionals experienced in landscape design, installation, and maintenance. A narrative describing ownership, use, and maintenance responsibilities of these areas should be specified in the submittal.
2. Landscape Plans shall show the entire project drawn to scale on standard sized sheets (minimum 24" x 36") and shall contain the following information:
 - a. Names and addresses of Property Owners, developers, plan preparer, plan preparation date, scale, and north arrow.
 - b. Locations and dimensions of all existing and proposed structures, Parking Areas, driveways, Streets, Private Streets, Rights-of-way, sidewalks, pedestrian pathways, bicycle pathways, ground signs,

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refuse disposal areas, bicycle parking areas, freestanding electrical equipment, recreation facilities, utility lines, easements, freestanding structural features, landscape improvements, earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, courts, paved areas, Buffer Yards, and Open Space.

- c. Locations, quantities, sizes, and names (botanical names and common names) – of planting materials.
- d. Existing and proposed grading plans, indicating contours at not more than two-foot intervals.
- e. Locations of barriers to be placed at or beyond driplines of trees to be preserved and types of materials to be used for barriers.
- f. Planting and installation details as necessary to ensure conformance with required standards.
- g. Details indicating specific grading measures or protective devices to be utilized where trees are to be preserved in areas of cut and fill.
- h. Tables clearly displaying relevant statistical information, including numbers of existing trees and numbers of trees preserved, for example.

3. Standard size sheets at the same scale as Landscape Plans that display locations, sizes, and common names of existing individual trees that measure twelve (12) inches or more in Caliper, areas of dense trees or shrubs, and other Natural Areas which are to be preserved or removed.

D. Modifications:

1. When a change in use occurs, or when modifications that require a Building Permit are made to an existing structure, then landscaping shall be required to be installed in a manner that is comparable in nature and extent to the impact of the proposed change or modification.
2. If plant substitutions become necessary due to seasonal planting problems or a lack of plant availability, then revisions to an approved Landscape Plans shall be permitted.

E. Preservation and Replacement of Trees:

1. Developers shall take reasonable measures to design and locate proposed buildings and related infrastructure in a manner that minimizes the destruction of significant tree specimens.
2. The following considerations shall be made in regard to tree preservation efforts:
 - a. The practicability of arranging site plan components around existing features. Plans for groups of structures should be designed so as to preserve areas of high tree concentrations, desirable individual tree specimens, and desirable stands of trees and shrubs.
 - b. The condition of vegetation with respect to continued vitality.
 - c. The possibility of preserving vegetation through pruning rather than removal.

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- d. The desirability of a particular tree or species by reason of its appearance; historic or ecological significance; botanical characteristics; and the function the vegetation would fulfill as a site plan component.
 - e. The practical and economic possibility of designing the location and grades of proposed structures and paving to preserve existing vegetation.
 - f. The potential for interference with utility services along the use of Streets and walkways.
3. Tree Inventory: Prior to Development Plan approval or the issuance of an Improvement Location Permit or Building Permit, Applicants shall inventory all trees on the subject property which possess a Caliper measure of at least twelve (12) inches. Tree inventories shall depict locations, sizes, and common names of existing trees and individual shrubs; areas containing dense trees or shrubs; and other natural site features. Existing trees that are to be preserved shall be credited toward required landscaping requirements based on the sizes of such preserved trees in accordance with this Article.
 4. Tree Preservation Plans: Tree preservation plans shall be submitted with site plans that detail locations, sizes, and common names of preserved trees; individual shrubs; areas of dense tree or shrub concentrations, and other natural features which are to be preserved or removed. No disturbance shall be permitted in the Critical Root Zones of preserved trees. Disturbances include trenching, backfilling, driving or parking equipment, and dumping trash, oil, paint, or other materials detrimental to plant health.
 5. Replacement: If any tree designated for preservation dies within five (5) years of project completion, then the Property Owner shall replace such tree with a tree(s) of equal tree preservation value, as set forth herein, within one hundred and eighty (180) days.
 6. Incentives to Preserve Trees:
 - a. Existing trees over two-inch (2") Caliper that are preserved in accordance with this Article may be credited for required landscaping based on a ratio of one (1) tree credit per one (1) tree preserved. Certain "cull" species and deformed trees, however, shall not be permitted to be credited.
 - b. The Plan Commission or Director may credit required shrubs where the existing vegetation of a preserved Natural Area is located within a Buffer Yard, and where the Natural Area otherwise accomplishes the intended screening effect of a Buffer Yard.
 7. Tree Protection:
 - a. Barriers shall be used to protect trees during site development. Barriers shall be specified on Landscape Plans and shall be placed at or beyond the driplines of trees to be preserved. Such barriers shall remain in place during site construction. No vehicles, machinery,

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tools, chemicals, construction materials, or temporary soil deposits shall be permitted within such barriers. No notices or other objects shall be nailed or stapled to preserved trees.

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

F. Selection, Installation, and Maintenance of Plant Materials:

1. Selection: The minimum sizes set forth below shall apply to required plantings at installation, unless otherwise specified herein.
 - a. Shade Trees: A minimum of eight (8) feet in height and two (2) inches in Caliper. Shall be of a variety that will attain an average mature spread greater than twenty (20) feet.
 - b. Evergreen Trees: A minimum of six (6) feet in height.
 - c. Ornamental Trees: A minimum of two (2) inches in Caliper.
 - d. Shrubs: A minimum of eighteen (18) inches in height.
 - e. Credit for Larger Trees: A proportional decrease in the required number of trees is allowed if larger Caliper trees than required herein are planted (e.g., trees with Caliper measures of four (4) inches may replace two (2) required two (2) inch Caliper trees).
2. Mounds: The following shall apply to mounds at the time of installation, unless otherwise specified herein.
 - a. Measurement: Minimum mound height requirements established herein are measured at the lowest elevation of the “valley” of an undulating mound. The maximum mound height requirements are measured at the “peak” of the mound. All mound heights are measured from the highest natural grade of the adjacent ground.
 - b. Maximum Slope: The maximum slide slope of mounds shall not exceed a three (3) (horizontal units) to one (1) (vertical unit) ratio.
3. Installation: Landscaping materials should be installed in accordance with planting procedures established by the [American Association of Nurseryman](#).
 - a. Timing and Permits:
 - i. No Certificate of Occupancy or Certificate of Compliance shall be granted until required landscaping is installed. The installation of required landscaping may be delayed, at the Director’s determination, for up to one hundred and twenty (120) days due to periods of adverse weather, availability of plant material, or conflicts between construction scheduling and proper planting conditions.
 - ii. Landscaping and related improvements (e.g., paths, Development Amenity improvements, mounds) for Open Space, Development Amenities, Common Areas, Buffer Yards or External Street Frontage Landscaping shall be installed prior to the issuance of a subsequent Building Permit for more than fifty percent (50%) of the Lots within the Secondary Plat section in which the required

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landscaping or improvements located, or within twelve (12) months from when the first Building Permit in the Secondary Plat section was issued, whichever occurs first.

4. **Maintenance:** All newly planted vegetative material shall meet minimum [American Standard for Nursery Stock Standards](#). Landscaping shall be maintained in healthy growing condition. This includes:
 - a. Regular irrigation, weeding, fertilizing, pruning, mowing, and other maintenance of outside plant materials on the property.
 - b. Mature trees shall not be topped. They shall be pruned according to procedures established in the National Arborist Association Standards, published by the National Arborist Association.
 - c. Treating plant materials that exhibit evidence of insect pest or disease damage.
 - d. Replacement of dead or dying plant materials with specimens in good, healthy, growing condition. Replacement shall be completed using the same plant materials approved on Landscape Plans.
 - e. Replenishing natural landscape materials such as rock, stone, bark chips and shavings that no longer cover the area in which they were originally deposited.
 - f. Repairing, replacing, or maintaining structural landscaping features including, but not limited to fountains, reflecting pools, outdoor art work, screening walls, retaining walls, fences, benches or other street furniture elements, as necessary to maintain these items in good condition.
 - g. Any other action necessary to maintain landscaping installed in accordance with an approved Landscape Plan and that promotes the life, growth, health and beauty of Landscaping.

G. General Landscape Design Standards:

1. **Consultation:** A landscape architect, nurseryman, or other professional experienced in the installation and care of plant materials shall be consulted to ensure that proposed plants are appropriate and will survive.
2. **Scale and Nature of Landscaping:** The scale and nature of landscaping materials shall be appropriate to the size of proposed structures. Large-scale buildings should be complemented by large-scale plants. Form, texture, color, pattern of growth, and adaptability to local conditions shall be considered when selecting plant materials.
3. **Groundcover:** Landscape Plans shall clearly identify areas for Groundcover. Groundcover is not required for: (i) decorative mulch planting beds containing stone or other inert materials, trees and/or shrubs; (ii) inert stabilization in areas subject to severe runoff or erosion; or (iii) or low impact development areas (e.g., rain gardens). Areas not so designated shall be required to have grass or other Groundcover and shall be used in all green space areas and Yards, including, but not limited to required mounds and Parking Area landscape islands.



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4. **Placement:** Installed plantings shall comply with the following:
 - a. **Clearance with Structures:** Trees shall be planted so that when they reach maturity, there will be a minimum of ten (10) feet of clearance between tree trunks and structures, building overhangs, walls, fences, and other trees.
 - b. **Vision Clearance:** Plantings and mounds shall also comply with [Article 6.19 Vision Clearance Standards](#).
 - c. **Right-of-way:** With the exception of Street Trees, as required herein, or trees as may otherwise be approved by the Plan Commission or Public Works Department, landscape material shall not be planted or placed in Rights-of-way or easements without permission from the City or the easement holder.
 - d. **Minimum Distance from Sidewalk and Curb:** Trees shall be planted a minimum distance of four (4) feet from the edge of a Street curb or pedestrian pathway or sidewalk.
 - e. **Minimum Distance from Stormwater Structures:** Trees shall be planted a minimum distance of ten (10) feet from any storm sewer or subsurface drain, unless otherwise permitted in accordance with the City's Construction Standards or approved in writing by the Public Works Department.
 - f. **Easements:** Required landscaping should be located in landscape easements or designated common areas that are exclusive of utility or drainage easements.
 - g. **Arrangement:** A natural or irregular row and spacing of plantings is preferred. Trees and shrubs should be grouped or clustered where possible to simulate natural tree stands.
5. **Energy Conservation:** Plantings shall be arranged to promote energy conservation wherever practical. This includes using deciduous trees on the south and west sides of buildings to provide shade from summer sun and planting evergreens on the north of buildings to insulate against winter winds.
6. **Noise Reduction:** Properties adjacent to highly trafficked Streets or businesses shall arrange landscaping to reduce the intensity of noise by reflecting, deflecting, or absorbing sound. Some techniques to accomplish this include using berms, walls, fences, or plantings to provide physical separation and to absorb noise. When a berm is used to form a visual screen in lieu of or in conjunction with a hedge or wall, it shall not exceed a slope of thirty (30) degrees and shall be completely covered with shrubs, grass, or other living Groundcover.

H. **General Screening Standards:**

1. **Heating and Cooling Facilities:** Ground-mounted heating and cooling units for nonresidential or multi-family structures shall be completely screened from all viewpoints. (See also [Article 6.3 Architectural Standards](#) for roof-mounted equipment.)
2. **Dumpster and Loading Areas:** Dumpster enclosures, trash pads, loading

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areas, loading docks, service areas, and maintenance areas shall be screened from residential uses and Rights-of-way. Screening shall be achieved by using either: (i) a six (6) feet high, completely opaque fence or wall; (ii) a six (6) feet high berm; or (iii) a six (6) feet high screen of evergreen trees planted nine (9) feet on center in a double staggered row. See also [Article 6.1 Accessory Use and Building Standards](#) regarding dumpster enclosures.

I. Detention and Retention Areas:

1. Natural Appearance:

- a. Detention and Retention Areas shall be landscaped in a manner that replicates the natural form of ponds and shall include shade trees, ornamental trees, evergreens, shrubs, hedges, and/or other plantings (see also Minimum Lot Landscaping Requirements and [Article 8.6 Open Space and Amenity Standards](#)).
- b. Wetlands/aquatic vegetation planted around the wet perimeter of such areas should be utilized to further this design objective; however, if such plantings are utilized for water quality control, then landscape plans shall be prepared and stamped by a licensed landscape architect.
- c. Detention and Retention Areas shall be designed to be natural in appearance, with meandering edges.

2. Location: Detention and Retention Areas should be located to enhance view sheds and incorporated as amenities to the development (see also [Article 8.6 Open Space and Amenity Standards](#)).

3. Side Slopes: Side slopes above the water line for Retention Areas and water features shall not exceed 4:1. Side slopes above the water line for Detention Areas shall not exceed 4:1 and shall be graded to harmonize with the overall Open Space design of the site.

J. Street Trees: Street Trees shall be required in accordance with the following, and the placement standards set forth herein:

1. **Requirement:** Street Trees shall be required with all new or re-developed Local Streets (public or private) within Residential Districts. Street Trees shall only be required on one side of a Frontage Road.
2. **Location:** Street Trees shall be located within the Right-of-way and installed in accordance with the City's Construction Standards (see also [Article 7.3 Principles and Standards of Design](#)). If an adequate planting strip is not available within the Right-of-way, in accordance with the City's Construction Standards, or is otherwise determined to not be feasible by the Public Works Department, then Street Trees shall be installed within the Established Front Yard of the adjacent Lot.
3. **Spacing:** Street Trees shall be required at a maximum spacing of sixty (60) feet and minimum spacing of forty (40) feet.

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- K. **Minimum Lot Landscaping Requirements:** Yards and Open Space areas of all Lots shall be landscaped in accordance with this section (the “Minimum Lot Landscaping Requirements”):

Chart: Minimum Lot Landscaping Requirements:

Land Use	Plant Materials		
	Shade Trees	Ornamental or Evergreen Trees	Shrubs
Single-family Residential (per Lot)	4	2	4
Multi-family Residential (per Dwelling Unit)	1	1	4
Institutional Uses (per acre)	2	3	10
Business Uses (per acre)	10	10	25
Industrial Uses (per acre)	5	5	25
Open Space / Common Area (per acre)	10		0

1. **Calculation for Recreational Areas:** Acreage for athletic fields and courts (including adjacent perimeter areas for coaching and spectator viewing) and areas with playground equipment, may be subtracted from the gross acreage before computing the Minimum Lot Landscaping Requirements.
 2. **Calculation for Open Space/Common Areas:** Plantings required for Open Space or Common Area may be calculated for an overall development, or phase of a development, and then installed and distributed throughout the development’s various Open Spaces and Common Areas.
 3. **Credit:** All other landscaping plantings required by this Article to be located on the subject Lot (e.g., Foundation Plantings, Parking Area Landscaping) or within an Open Space/Common Area (e.g., Buffer Yard Landscaping, External Street Frontage Landscaping) may be credited toward the individual Lot’s or Open Space/Common Area’s Lot Landscaping Requirement at a 1:1 ratio.
- L. **Foundation Plantings:** Foundation plantings shall be provided as follows:
1. Plant materials shall be required intermittently (approximately every forty (40) feet) against long expanses (over eighty (80) feet) of Building Facades, fences, and other barriers to create a softening effect.
 2. Plant materials shall also be required along the Front Building Facade of all Buildings at a minimum ratio of one (1) shrub or ornamental tree per twelve (12) lineal feet (Single-family Dwelling and Duplex Dwelling buildings are exempt from this requirement).
 3. The primary landscaping material used shall be ornamental trees, shrubs, and ornamental grasses. Groundcover plants may supplement the required plant materials. Plantings may be clustered to provide a

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more natural appearance and to accommodate vehicular and pedestrian access, loading and maintenance areas.

4. Plantings shall be located within fifteen (15) feet of the Building Facade, fence or other barrier being softened, and shall occur within planting beds at least eight (8) to ten (10) feet in width.

M. **External Street Frontage Landscaping Requirements:** The landscaping in this section shall be required where any portion of a development abuts an External Street.

1. **Residential Uses:** A landscaping area with a minimum depth of thirty (30) feet shall be required abutting an External Street along any residential development. The landscaping area shall include a minimum of four (4) evergreen trees, three (3) shade trees, three (3) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. In addition, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage. Meandering mounds are encouraged.
2. **Non-residential Uses:** A landscaping area with a minimum depth of ten (10) feet shall be required abutting an External Street along any non-residential development. The landscaping area shall include a minimum of three (3) shade or evergreen trees, two (2) ornamental trees and twenty-five (25) shrubs per one hundred (100) lineal feet. This requirement may be credited toward required Parking Area Landscaping requirements if the required Parking Area Landscaping is located within twenty (20) feet of the Right-of-way. In addition for Industrial Districts, a minimum three-foot (3') tall undulating mound shall be required along the entire External Street frontage.
3. **Easements:** Trees required to be planted along External Streets should be located outside drainage and utility easements and shall be located in a manner that mitigates interference with infrastructure located within such easements. Trees may be clustered or grouped in order to attain creative site design and/or to accommodate utility infrastructure.
4. **Unimproved Rights-of-way:** The Plan Commission or Director may approve a Development Plan that lessens the planting requirements per the External Street Frontage Landscaping Requirements by up to fifty percent (50%) along the portion of a development that abuts future Right-of-way, as set forth in the Thoroughfare Plan, if: (i) said Right-of-way is unimproved at the time of Development Plan approval; and (ii) there are no immediate plans by the City or requirement of the Applicant to improve said Right-of-way.



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- N. **Buffer Yard Requirements:** Buffer Yards shall be required in order to soften the potential conflicts between land uses by using distance, plantings, fences, walls and mounds as set forth in this section.
1. **General:** Plantings should physically separate and visually screen different land uses and/or Zoning Districts from one another without precluding connectivity between uses.
 2. **Location:** Buffer Yards shall apply along the entire length of all abutting Lot Lines where conflicting Zoning Districts are adjacent. If adjacent properties possess a mix of land uses, then the highest intensity use shall determine the required Buffer Yard. Buffer Yards shall not be required: (i) between uses within a Planned Unit Development District (unless the PUD District provides otherwise); (ii) internal to Subdivisions; or, (iii) adjacent to External Streets, rather, the External Street Frontage Landscaping Requirements set forth herein shall apply adjacent to External Streets.
 3. **Responsibility for Installation:** The Lot which is zoned for higher intensity uses at the time of development shall install the required Buffer Yard.
 4. **Buffer Yard Types:** The following types of Buffer Yards are hereby established. The numbers established below are minimum requirements. Plantings should be arranged in a manner that creates a visual barrier between land uses without precluding connectivity between uses.

Chart: Buffer Yard Types

Buffer Yard Type	Planting Materials per 100 lineal feet				
	Width	Canopy Trees	Evergreen Trees	Shrubs	Mound / Fence
Buffer A (small)	30 feet	3	3	10	none required
Buffer B (medium)	40 feet	4	4	10	4' tall undulating mound for at least 60% of the length of the shared Lot Line
Buffer C (large)	50 feet	5	5	20	4' tall undulating mound for at least 60% of the length of the shared Lot Line and a 6' - 8' tall opaque fence

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5. **Required Buffer Yard:** The minimum required Buffer Yard shall be determined by the abutting Zoning District(s) and/or land uses, whichever is more restrictive, in accordance with the following chart.

Chart: Required Buffer Yard

Required Buffer Yard Type		Adjoining Use / Zoning District								
		Agricultural	AG-SF1	SF1, SF2	SF3	SF4, SF5, SFA	MF	Institutional	Business	Industrial
Proposed Use / Zoning District	AG-SF1	-	-	A	B	B	B	A	A	A
	SF1, SF2	B	A	-	A	A	B	B	C	C
	SF3	B	B	A	-	A	A	B	C	C
	SF4, SF5, SFA	B	B	A	A	-	A	B	B	C
	MF	B	B	B	A	A	-	B	B	C
	Institutional	A	A	B	B	B	B	-	A	B
	Business	A	A	C	B	B	B	A	-	A
	Industrial	A	A	C	C	C	C	B	A	-

- a. **Institutional Uses:** The Plan Commission may approve a smaller Buffer Yard than required above (but no less than 15 feet) for Institutional Uses on Lots of Record (as of December 10, 2001, when Ordinance 01-16 was adopted) that are less than ten (10) acres in size and adjacent to residential uses, provided:
- The proposed structure shall be finished in a manner that is in character with the adjacent neighborhood.
 - Landscaping may be required to be supplemented with a fence or masonry wall to assist in addressing the impact of the proposed use on adjacent existing uses.
 - No drives or Parking Areas shall be permitted in a reduced Buffer Yard area.
- O. **Parking Area Landscaping:** This section shall apply to Parking Areas in order to: (i) screen Parking Areas from Rights-of-way; (ii) prevent the creation of large expanses of paving; and (iii) provide shade to paved areas.
1. **Interior Parking Area Landscaping:**
- a. **Minimum Area Required:** A minimum landscape area of Parking Areas shall be set aside for Parking Area islands in accordance with the following:

Chart: Percentage of Parking Area Landscaping

Number of Parking Spaces	% of Parking Area to be Islands
0 to 24	0%
5 to 24	5%
25 to 49	7.5%
50 or more	10%

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b. Interior Parking Area Islands:

- i. Location: Parking Area islands shall be dispersed throughout Parking Areas in a design and configuration that aesthetically corresponds to the size and shape of Parking Areas. Combining or placing Parking Area islands together such that more than one (1) tree may be planted in the island shall be considered when possible. Parking Area islands shall be dispersed so as to define aisles and limit unbroken rows of parking spaces to a maximum of two hundred (200) feet in length.
- ii. Design: Parking Area islands shall be: (a) constructed at least six (6) inches above the surface of Parking Areas and curbed in a manner that restricts vehicles from driving over landscaped areas; (b) a minimum area of one hundred twenty (120) square feet; and (c) a minimum of seven (7) feet in width, measured from back of curb to back of curb.
- iii. Plantings: Parking Area islands shall include at least one (1) tree and four (4) shrubs per island. One hundred (100) percent of every island shall be covered with permitted Groundcover material to achieve complete coverage.
- iv. Vision Clearance: No landscaping within Parking Area islands may unreasonably obstruct visibility for vehicles entering, maneuvering in, or exiting Parking Areas. Such landscaping shall be constructed in compliance with [Article 6.19 Vision Clearance Standards](#).

2. Perimeter Parking Area Landscaping:

- a. Application: Perimeter landscaping is required for Parking Areas with ten (10) or more spaces where the Parking Area is located within: (i) an Established Front Yard; (ii) a required Yard; or (iii) twenty (20) feet of a Lot Line or Right-of-way line.
- b. Design: Perimeter Parking Area landscaping shall be a minimum of five (5) feet wide and shall extend along the perimeter of Parking Areas and include:
 - i. A minimum of one (1) tree per thirty (30) linear feet of Parking Area length. Trees may be clustered in an aesthetically pleasing manner.
 - ii. A minimum of one (1) shrub per three (3) feet of Parking Area length. Shrubs may be clustered in an aesthetically pleasing manner.
 - iii. Grass or other permitted Groundcover for areas not planted with trees or shrubs.
- c. Drive Aisles: Plantings within perimeter Parking Area landscape areas between drive aisles and a Rear or Side Lot Line may be reduced by up to fifty percent (50%) of the required plantings above, if no Parking Spaces are located between the Lot Line and the drive aisle.

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3. **Multi-family Districts:** In addition to the other standards set forth in this Article, the following shall apply to Multi-family Districts:
 - a. Parking Areas, Parking Spaces and service facility areas in a Multi-family District that may be visible from Streets or perimeter Lot Lines shall be screened by walls or other solid materials in addition to landscaping required herein. Screening shall be depicted on the Development Plan.
 - b. Solid screens or landscape materials shall be installed to protect the privacy of residents when parking spaces are located within ten (10) feet of residential units and to prevent headlights from shining directly into windows.

6.9 Lighting Standards

- A. **Purpose and Intent:** The community wishes to enhance the visual environment of the nighttime sky, protect the public health, safety and welfare, provide safe roadway conditions for motorists, cyclists, and pedestrians, and promote energy efficient, cost effective lighting while minimizing light pollution, intrusion and trespass from uncontrolled light sources. It is the intent of this Article to minimize the intrusion of lighting across property lines and into the nighttime sky, thereby avoiding a disruption to the quality of life of residents.
- B. **Applicability:** These regulations shall be applicable to all outdoor lighting sources which:
 1. Are newly designed, constructed, erected or placed into operation after the effective date of this Article; and
 2. Require the relocation or replacement of existing lighting fixtures commenced after the effective date of this Article.
- C. **Exceptions:** Exceptions to this Article shall include the following:
 1. All outdoor light fixtures permitted prior to the adoption of these regulations (Ordinance No. 02-39, December 9, 2002) shall be exempt from the shielding requirements of this Article, except that when an outdoor light fixture becomes inoperable, the replacement light fixture shall comply with the standards of this Article.
 2. All hazard warning lighting required by Federal and State regulatory agencies.
 3. All temporary emergency lighting required by local law enforcement, emergency service and utility department(s).
 4. All traffic control and directional lighting.
 5. All underwater lighting used for the illumination of swimming pools and water features shall be exempt from the lamp type and shielding standards of this Article.
 6. All lighting for temporary festivals and carnivals (see [Article 6.18 Temporary Uses and Events](#)).

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7. All low wattage residential accent and landscape lighting fixtures having a maximum output of 1600 lumens (equal to one 100 watt incandescent light) per fixture.

D. **Prohibitions:** The following shall be prohibited:

1. The installation, sale, lease, or purchase of any mercury vapor lamp.
2. The use of laser source light or other similar high intensity light for outdoor advertising, except when otherwise permitted in conjunction with an Electronic Sign, when projected above the horizontal.
3. The operation of searchlights and floodlights for advertising purposes.
4. The use of any lighting source on towers shall be prohibited except as required by the Federal Aviation Administration.
5. The illumination of off-site advertising signs.

E. **General Lighting Standards:** The following standards shall apply:

1. All Light Fixtures, with the exception of internally-illuminated signs or Electronic Signage, shall be Fully Shielded and direct light downward toward the earth's surface.
2. All lighting sources shall be directed away from reflective surfaces to minimize glare upon adjacent Lots and Rights-of-way.
3. All lighting sources, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner as to direct light away from adjacent Lots and Rights-of-way.
4. Light pole height shall not exceed twenty-five (25) feet. All Light Fixtures in Parking Areas shall be designed and located to confine emitted light to the Parking Area.
5. All Light Fixtures shall meet City Building Code requirements for their appropriate construction class.

F. **Multi-Family Residential, Business and Industrial Standards:** The following shall apply to all Multi-family, Business, and Industrial Uses:

1. All Light Fixtures, with the exception of internally-illuminated signage or Electronic Signage, shall be positioned in such a manner so that no light-emitting surface is visible from a residential Lot or Right-of-way when viewed at ground level.
2. Light meter readings shall not exceed: (i) one-half (0.5) foot-candles at a single-family or multi-family residential Lot Line; or (ii) one (1.0) foot-candle at all other Lot Lines. [It should be understood that, with all of these measurements, light will still be visible at or beyond Lot Lines.]
3. All lights on poles, stands, or mounted on a building shall have a shield, adjustable reflector, and non-protruding diffuser.
4. All canopy structures shall have lights with diffusers which are recessed, and which do not extend below the surface of the canopy as measured on a plane parallel to the earth's surface.

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5. Lighting under awnings and canopies shall only illuminate a Front Building Facade, a sign under an awning or canopy, or the sidewalk, but shall not illuminate the awning or canopy itself.
6. Thirty percent (30%) of all Parking Area lighting for nonresidential uses shall be turned off within thirty (30) minutes of closing of the last business or no later than 11:00 p.m.
7. No outdoor sports or Recreational Facilities shall be illuminated after 11:00 p.m., except to conclude a scheduled recreational or sporting event in progress prior to 11:00 p.m.
8. The off-street Parking Areas and service facility areas for multi-family residential uses shall have sufficient lighting facilities, which shall be located and adjusted so that the glare or beam is directed away from any adjoining property, Street or Multi-family Dwelling window.

G. Sign Lighting:

1. Light Fixtures used to illuminate an outdoor advertising sign, other than a Monument Sign or an internally-illuminated sign, shall be mounted on top of or above the sign structure and shall comply with the shielding requirements of this Article.
2. Light Fixtures used to illuminate ground mounted or Monument Signs may be illuminated with a ground mounted or bottom mounted Light Fixture, provided that the Light Fixture is Fully Shielded and all light output is directed onto the sign surface.
3. Lamps utilized for the internal illumination of Wall Signs shall be turned off at 11:00 p.m. or when business closes.

H. Lighting Plans: The Applicant for any permit required by this Ordinance that proposes outdoor lighting shall submit a Lighting Plan which includes:

1. A site plan indicating the location of all lighting structures, supports and Light Fixtures, including those Light Fixtures which presently exist on site and those which are proposed for the site.
2. A graphic and/or textual description of all lighting fixtures, both proposed and existing on-site. The description may include, but is not limited to cut sheets and illustrations by the manufacture, lamp types, wattages, and lumen outputs.
3. A site plan with illuminance levels superimposed on the site plan in the form of an iso foot-candle diagram or point-by-point grid diagram.
4. All plot lighting levels shall be depicted at ten-foot intervals or less.
5. The iso foot-candle diagram shall plot foot-candle increments of one-half (0.5) foot-candle or less.
6. Photometric data depicting the angle of cut off of light emissions.
7. Any other information that the Director determines necessary to ensure compliance with the provisions of this Article.

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6.10 Lot Standards

- A. Lot Area shall be as set forth by the Zoning District or Overlay District.
- B. Lot Width shall be as set forth by the Zoning District or Overlay District.
- C. All Lots shall abut on a Street or Private Street and shall have a minimum Lot Frontage as set forth by the Zoning District or Overlay District.
- D. Residential Corner Lots shall be of sufficient width to permit appropriate Building Setback Lines and driveway setbacks from both Streets (see also [Article 6.16 Setback Standards](#)).

6.11 Manufactured Home and Park Standards

- A. **Purpose and Intent:** [I.C. 36-7-4-1106](#) provides for the regulation of Manufactured Homes by this Ordinance. Manufactured Homes are recognized as viable forms of housing that are best served by the residents of such Manufactured Homes and the community if such housing is located in a planned Manufactured Home Park.
- B. **Permitted Use:** Manufactured Homes and Manufactured Home Parks are permitted as set forth in [Article 13.2 Use Table](#); however, the number of Manufactured Homes in a Subdivision, not specifically platted for Manufactured Homes, shall not exceed ten percent (10%) of the total number of platted Lots in the Subdivision. All Manufactured Homes shall only be used for residential purposes.
- C. **Manufactured Home Park General Requirements:** The following standards shall apply to all Manufactured Home Parks.
 - 1. **Minimum Tract Size:** 5 acres
 - 2. **Lot Size:** 4,000 square feet
 - 3. **Minimum Lot Frontage:** 40 feet
 - 4. **Pads or Slabs:** An adequate concrete slab or pad shall be provided for the parking of all manufactured homes and should provide anchoring devices for protection of the home due to excessive wind.
 - 5. **Minimum Front Yard Setback:** 30 feet
 - 6. **Minimum Structure Separation:** 20 feet
 - 7. **Sewer and Water:** Public sewer and water hook up is required.
 - 8. **Soil Coverage:** All areas must be covered with a hard surface (e.g., concrete, blacktop, or stone) or attractive grasses/vegetative matter in accordance with [Article 6.8 Landscaping Standards](#).
 - 9. **Screening:** Suitable screening or fencing must enclose the entire Manufactured Home Park. Such screening must be attractive to the area and be able to be easily maintained.
 - 10. **Recreational Facilities:** Appropriate Recreational Facilities shall be provided in all Manufactured Home Parks that can accommodate twenty-five (25) or more Dwelling Units.

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11. **Lighting:** Shall be appropriately lighted to protect the health and safety of residents. Such lighting shall not be considered a nuisance to residents, industry or business development.
 12. **Entrance to Park:** All entrances shall be constructed in an attractive manner. The name of the park shall be adequately designated. Entrance areas inside the park shall provide for internal street names and addresses and provide adequate mail facilities for the park's residence.
 13. **Service Building:** An adequate service building shall be provided to contain office and maintenance space, laundry, canteen and other support services.
 14. **Parking:** A minimum of two (2) parking spaces shall be provided for each manufactured home.
- D. Manufactured Home General Requirements:** The following standards shall apply to all Manufactured Homes.
1. **Location:** Manufactured Homes shall be located in an approved Manufactured Home Park, except for the following:
 - a. A Manufactured Home located on any platted Lot prior to September 1977, may be replaced with another Manufactured Home if all of the following conditions are met:
 - i. Only one (1) Manufactured Home shall be permitted per Lot.
 - ii. Manufactured Home shall be placed upon a permanent foundation and be subject to real estate tax assessment.
 - iii. Manufactured Home shall be served by public sanitary sewer or an approved private sewer system.
 - iv. Manufactured Home shall be used for a residence only.
 - v. Manufactured Home shall exceed thirty-five (35) feet in length.
 - vi. Manufactured Home shall meet the requirements of subsection (D)(2) below.
 - b. Manufactured Homes used as a temporary office or for other purposes on an approved construction site.
 - c. Manufactured Homes normally used as a Recreational Vehicle may be permitted, but only on the property of the owner and it may not be occupied as a temporary or permanent residence.
 2. **Standards:** Manufactured Homes not located in a Manufactured Home Park shall be subject to the following requirements and limitations.
 - a. Shall be required to meet the minimum Living Area requirements provided for in the applicable Zoning District.
 - b. Shall meet all requirements applicable to Single Family Dwellings and Duplex Dwellings and shall be subject to all necessary permits (e.g., Improvement Location Permit, Building Permit and Certificates of Occupancy).
 - c. Shall be permanently attached to a solid foundation extending down below the frost line, a minimum of thirty (30) inches, or on Basement walls. The space between the floor joists of the home and

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- the excavated area under floor grade shall be completely enclosed with a permanent, perimeter foundation, or Basement walls, except for required openings.
- d. Shall be covered with an exterior material of one (1) or more of the following types:
 - i. Horizontal aluminum or vinyl lap siding
 - ii. Cedar or wood siding
 - iii. Weather resistant grain pressboard
 - iv. Stucco, brick or stone
 - v. Other approved materials
 - vi. Such materials shall overlap the top of the foundation.
 - e. Shall have a roof composed of a material customarily used on site-built residential dwellings, such as, fiberglass, shake, asphalt or tile, which shall be installed onto a surface appropriately pitched for the materials used.
3. Placement With Permit: Manufactured Homes not meeting the terms of this Article shall be permitted within the Jurisdiction of the Plan Commission only after: (i) receiving a variance approved by the Board; or (ii) being located in an approved Manufactured Home Park.

6.12 Outside Storage and Display

- A. **Applicability**: This Article shall apply as an Accessory Use in all Zoning Districts, as set forth herein.
- B. **Residential Districts**:
 1. Recreational Vehicles: Storage or parking of Recreational Vehicles shall be subject to the following conditions:
 - a. No more than one (1) Recreational Vehicle or any towable vehicle shall be stored or parked outdoors on a residential parcel at any time.
 - b. Shall be stored or parked: (i) behind the Lot's Established Front Yard; (ii) no closer to a Rear or Side Lot Line than three (3) times the maximum height of the vehicle, except when stored inside of a lawfully-erected structure that includes a roof and fully encloses the vehicle; and (iii) no closer than the required Side Yard setback line.
 - c. Non-motorized Recreational Vehicles may not be stored on a Right-of-way at any time. Motorized Recreational Vehicles may be stored on a Right-of-way for a period not to exceed four (4) days per month for loading and unloading of the vehicle.
 - d. Shall not be occupied or used for living or sleeping purposes and shall not be connected to gas, electric, water or sanitary sewer service for purposes of living or sleeping.
 - e. Shall not be parked or stored in a manner as to create a dangerous or unsafe condition on the property where parked or stored. Parking or storage while not locked or chocked, whether loaded or not, and the removal of wheels (except for immediate repairs), shall be considered a dangerous and unsafe condition.

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2. **Cross-Reference:** Please note that [Westfield Code of Ordinances; Chapter 58-290 et seq.](#), as amended, also applies to vehicles within the City's corporate limits.

C. **Business Districts:** The following shall apply to Business Districts:

1. **Outside Storage:** Outside Storage shall only be permitted if delineated on an approved Development Plan and in accordance with the following:
 - a. **Size:** A Lot's Outside Storage area shall not exceed fifty percent (50%) of the Lot's Principal Buildings' gross floor area.
 - b. **Location:** Outside Storage areas:
 - i. Shall be located immediately adjacent to the Principal Building.
 - ii. Shall not encroach into any required Rear or Side Yard.
 - iii. Shall be prohibited in an Established Front Yard.
 - iv. Shall be delineated on an approved Development Plan.
 - c. **Screening:** Outside Storage areas shall be incorporated into the building's design as part of the Principal Building as follows:
 - i. Outside Storage areas shall be completely screened from view from any adjacent property or right-of-way.
 - ii. Outside Storage areas shall be screened on all sides with a solid wall, not less than seven (7) feet in height, consisting of Masonry Materials that compliment the Principal Building.
 - iii. Perimeter access into Outside Storage areas shall not be oriented toward a Front Yard. Gates shall be required for such access and shall be opaque and architecturally compatible with the materials used on the Principal Building. A chain link fence or a variation of a chain link fence combination shall not constitute an acceptable gate material.
 - d. **Storage Restrictions:** All materials, product or merchandise stored in an Outside Storage area shall be stacked no higher than one (1) foot below the top of the wall.
2. **Outside Sales Display:**
 - a. **Permitted Use:** Outside Sales Displays, including vending machines, kiosks, and outdoor point of sale items (e.g., flowers, propane, salt, firewood), shall be prohibited, except for the following:
 - i. Automobile dealerships, and other similar uses as determined by the Director or Plan Commission.
 - ii. Outside Sales Displays that otherwise comply with the Outside Storage standards set forth in this Article.
 - iii. Merchandise associated with a temporary use or event conducted pursuant to [Article 6.18 Temporary Uses and Events](#).
 - b. **Approval:** Any proposed Outside Sales Display shall be delineated on an approved Development Plan and subject to approval by the Plan Commission, except as otherwise permitted by [Article 6.18 Temporary Uses and Events](#), and subject to the following:

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- i. The Development Plan shall include the types of merchandise and/or finished products, location, landscaping and other improvement of the Outside Sales Display area.
 - ii. Pedestrian circulation areas shall not be obstructed and enhancements may be required by the Director or Plan Commission to ensure safe pedestrian movements.
 - iii. The Director or Plan Commission may require enhanced site design features to ensure that Outside Sales Display areas are delineated and that such areas are compatible with the design of the building and site context.
 - iv. In addition to the standards of the Zoning District, the Plan Commission or Director may require enhanced screening or landscaping to ensure the compatibility of the proposed use with adjoining areas.
 - v. Once approved, the Outside Sales Display area shall not be materially or substantially changed or altered without the approval of an amendment to a Development Plan.
- D. **Industrial Districts:** Outside Storage may be permitted in the *Ol: Open Industrial District*, subject to the following standards:
 - 1. **Yards:** No Outside Storage shall be permitted in the Established Front Yard or in a Yard adjoining a Residential District.
 - 2. **Screening:** Outside Storage areas shall be screened as follows:
 - a. A wall shall extend perpendicular from the building, and then extending a minimum twenty-five (25) feet down each Side Yard. The wall shall be:
 - i. A minimum of eight (8) feet in height, but shall not extend beyond the eave of the building's roofline.
 - ii. Constructed with architectural block, brick or decorative tilt up concrete to be consistent with and compatible with the architectural character and materials of the building.
 - b. At the termination of the wall, a fence, consistent with and compatible with the architectural character and materials of the building, shall encompass the remainder of the Outside Storage area and shall be a minimum of eight (8) feet in height and opaque.
 - c. Materials stored outside shall not be stacked higher than one (1) foot below the top of the wall or fence. Equipment and vehicles shall be stored at their lowest state.
 - 3. **Storage Surface:**
 - a. An area fifty (50) feet in depth adjacent to the building and high-volume travel lanes in Outside Storage areas shall be hard surfaced with asphalt or concrete.
 - b. The balance of areas used for Outside Storage shall, at a minimum, be finished with stone and have dust control measures implemented by the business during operation.
 - c. Curbing shall not be required around Outside Storage areas.

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6.13 Outdoor Café and Eating Areas

- A. **Applicability:** Outdoor cafes and eating areas shall be subject to this Article.
- B. **Health Department:** All outdoor cafés and eating areas shall conform to all State and County Health Department regulations and code, including but not limited to [I.C. 16-42-5](#) and [410 IAC 7-24](#).
- C. **Lighting:** Shall comply with [Article 6.9 Lighting Standards](#). Festoon lighting shall not be permitted.
- D. **Audio:** Music and other audio devices shall be maintained at a level: (i) not audible from forty (40) feet from the source; or (ii) ninety (90) decibels or less when measured six (6) feet from source on a dB(A) meter.
- E. **Pedestrian Ways:** Shall not impede pedestrian traffic or force pedestrians into vehicular travel lanes in accordance with the following:
1. A five (5) foot pedestrian access area on the perimeter of the outdoor café and eating area shall be maintained at all times. The pedestrian access area on the sidewalk shall not be interrupted with building, infrastructure, utility or landscaping elements such as but not limited to columns, supports, plantings or other such materials.
 2. Proposed outdoor cafés and eating areas that would occupy or extend into public rights-of-way may not be located in such a manner that renders any Right-of-way, sidewalk, or path non-compliant with Federal, State, or City Building Code.
 3. Shall be compliant with all Federal, State and City Building Codes and access requirements.
- F. **Required Approvals:**
1. **Permanent Areas:** Outdoor cafes and eating areas that are utilized or set aside for use for a period longer than seven (7) days in a calendar year shall be deemed permanent in nature. Permanent outdoor cafes and eating areas shall require Development Plan approval, in accordance with [Article 10.7 Development Plan Review](#), to ensure compliance with this Ordinance and that its use and design is compatible with the surrounding area and Zoning District.
 2. **Temporary Areas:** Temporary outdoor cafes and eating areas shall require a Temporary Use/Event Permit annually, in accordance with [Article 10.13 Temporary Use and Events Permits](#), and shall obtain any other necessary permits (e.g., encroachment permit by the Public Works Department) or approvals (e.g., Fire Marshal).

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6.14 Parking and Loading Standards

- A. **Purpose and Intent:** The intent of this Article is to: (i) require minimal parking standards in order to assure public health, safety and welfare for a mobile society; (ii) minimize risks to the natural environment; and (iii) minimize conflict and promote vehicular and pedestrian safety .
- B. **Applicability:** Parking Spaces and loading and unloading berths, as specified for the use to which such building or land is to be devoted, shall be provided in accordance with this Article for each building hereafter erected and for certain other uses of land.
- C. **Loading Berths:** Off-street loading berths shall be subject to the requirements as set out by the Director in accordance with the following guidelines. Exceptions may be granted by the Director upon presentation of justification for a lesser number of loading berths. Additional berths may also be required to serve the needs of the proposed business or industry. Loading and unloading berths shall not be required for business uses which demonstrate that they do not receive or transmit goods or wares in quantity by truck delivery.
1. Business and Professional Offices, Medical Facilities, Schools, Hotels, Clubs and Similar Businesses: One (1) loading berth for each 100,000 square feet of space or additional fraction thereof.
 2. Industrial Manufacturing and Warehousing: One (1) loading berth for each 40,000 square feet or additional fraction thereof.
 3. Other Local and General Business Uses:
 - a. 5,000 sq. ft. to 10,000 sq. ft.: 1 loading berth
 - b. 10,001 sq. ft. to 25,000 sq. ft.: 2 loading berths
 - c. Over 25,000 sq. ft.: 1 additional berth for each 25,000 sq. ft. or fraction thereof.
- D. **Site Access and Circulation and Circulation:**
1. All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development.
 2. Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the site.
 3. Where site access has been officially approved by an agency other than the City, the Plan Commission or Director shall not be compelled to include such approved access in the approval of a Development Plan or an Improvement Location Permit.

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E. **Stacking Requirements for Drive-Through Facilities:** The following requirements shall apply for uses with drive-through facilities.

1. **General Requirements:**

- Drive-through lanes and required stacking spaces shall not interfere with parking space maneuvering aisles, parking drive aisles, loading spaces, internal site circulation, designated fire lanes or points of ingress and egress.
- Drive-through lanes and stacking spaces shall be designed to prevent vehicles from stacking in the Right-of-way.
- No stacking space may occupy any portion of a Right-of-way.
- A stacking space does not constitute a Parking Space.
- All drive-through and stacking lanes shall be delineated with pavement markings or otherwise distinctly delineated, as approved by the Department.

2. **Minimum Size:** A stacking space shall be a minimum of eight (8) feet by twenty (20) feet with direct forward access to a service window or station of a drive-through facility.

3. **By-Pass Lane:** A minimum eight (8) foot wide lane parallel to a drive-through lane shall be provided around the drive-through facility to allow vehicles to exit the drive-through lane and circumvent the stacking lane. This lane may be part of the site's overall circulation plan.

4. **Minimum Number of Spaces:** The minimum number of required stacking spaces shall be as follows, which shall exclude the position at the service window but may include spaces between the service window and any ordering position:

- Fast Food Restaurant: 7 stacking spaces
- Financial institutions, pharmacies, Takeout and Deli-style Restaurant with drive-through: 3 stacking spaces per service window
- All other facilities: 2 stacking spaces per service window

5. **Reduction in Number of Spaces:** If an Applicant demonstrates that strict compliance with the minimum number of stacking spaces is impracticable or would result in a less desirable site design, then the Department may approve a reduction of the stacking requirement. If determined by the Director, then demonstration by a qualified traffic engineer that a reduction in the stacking requirements is appropriate for the proposed use given the use's proposed intensity or the site's context may be required.

F. **Landscaping:** Parking and loading areas shall be screened in accordance with [Article 6.8 Landscaping Standards](#).

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

1. **Use:** Except as may otherwise be provided for the parking of trucks or

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for special uses, required accessory off-street parking facilities required as accessory to uses listed herein, shall be solely for the parking of passenger vehicles or patrons, occupants or employees.

2. Location: Parking Spaces shall be located on the same Lot as the use served with the exception of parking facilities located on land other than the Lot on which the building or use served is located, in which case the Parking Spaces shall be located within three hundred (300) feet walking distance from the main entrance to the use served.
3. Computation: When determination of the number of off-street parking spaces required by this Article results in a requirement of fractional space, any fraction of one-half (0.5) or less may be disregarded; while a fraction in excess of one-half (0.5) shall be counted as one (1) parking space.
4. Collective Provisions for Non-Residential Uses: Off-street parking facilities for separate uses may be provided collectively if the total number of Parking Spaces so provided is not less than the sum of the separate requirements of each such use, and if all regulations governing the location of accessory Parking Spaces in relation to the use served are observed. But no Parking Space, or portion thereof, shall serve as the required space for more than one (1) use unless otherwise authorized.
5. Size: Off-street parking spaces shall be at least nine (9) feet in width and at least eighteen (18) feet in length, exclusive of access drives, aisles, ramps, columns, and office or work area. Such Parking Spaces shall have vertical clearance of at least seven (7) feet. Parallel Parking Spaces shall be a minimum of twenty-four (24) feet in length.
6. Access: Each required off-street Parking Space shall open directly upon an aisle or a drive (not a lane or stacking space designated to serve a drive-through), of such width and design as to provide safe and efficient means of vehicular access to such Parking Space. All off-street parking facilities shall be provided with appropriate means or vehicular access to a street in a manner which will least interfere with traffic movements. The minimum aisle width for angled parking shall be as follows:

Chart: Angled Parking Drive Aisles

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

7. Surfacing and Curbs:
 - a. Public Parking Areas and loading and unloading berths shall be paved with a dust proof or hard surface. All open off-street Parking Areas shall be improved with a compacted gravel or stone base and surfaced with all-weather, dustless material, in accordance with the City's Construction Standards.

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- b. The perimeter of all Parking Areas, and any islands located therein, shall be curbed and guttered, in accordance with the City's Construction Standards.
 - c. A stormwater collection, conveyance, detention and treatment system, designed in accordance with applicable City standards, policies and ordinances, shall be installed for all Parking Areas.
 - d. If the proposed on-site storm water quality best management practices require that curbing or alternative surfacing, or portions thereof, not be installed, then a waiver from the requirements of this subsection may be considered by the Public Works Department, in its discretion.
8. **Traffic Control:** Pavement markings and traffic control devices shall conform to the requirements of the Indiana Manual of Uniform Traffic Control Devices, latest revision.
9. **Shared Parking:** Groups of users requiring Parking Spaces may join in establishing group Parking Area with capacity aggregating that required for each participating use, with the approval of the Plan Commission.
10. **Lighting:** A system of lights shall be installed to provide an adequate standard of illumination over the entire Parking Area of business uses during business hours and minimum security illumination during non-business hours. All lights shall be shielded so that minimum glare will extend to the adjacent property and meet the requirements of [Article 6.9 Lighting Standards](#).
11. **Required Spaces:** Off-street Parking Spaces shall be provided as follows:
 - a. **Single-family Dwellings:**
 - i. SF5: One (1) space per Dwelling Unit
 - ii. All other Zoning Districts: Two (2) spaces per Dwelling Unit
 - b. **Duplex Dwellings:** Two (2) spaces per Dwelling Unit
 - c. **Multi-family Dwellings:** Two (2) spaces per Dwelling Unit
 - d. **Hotels (or Motels):** One (1) space for each room, plus one (1) space for each two (2) employees on day shift
 - e. **Religious Institution:**
 - i. SF4 and SF5 Districts: One (1) space per five (5) seats
 - ii. All other Zoning Districts: One (1) space per three (3) seats
 - f. **Assembly Halls, auditoriums, theaters, and other similar uses:** One (1) space for each five (5) seats
 - g. **Medical Office:** Three (3) spaces for each examining or treatment room, plus one (1) space for each doctor and employee
 - h. **Restaurants:** One (1) space for each three (3) seats of serving area, plus one (1) space for each employee on primary shift
 - i. **Banks, savings and loans, and financial institutions:** One (1) space per each three hundred (300) square feet of Gross Floor Area
 - j. **Professional and General Service Offices:** One (1) space per each two hundred (200) square feet of assignable office area
 - k. **Gasoline Service Station:** One (1) space for each employee, plus two

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- (2) for each service stall
- l. Industrial Uses not engaged in retail trade: One (1) space for each two (2) employees, as related to the working period when the largest number of employees are employed on the premises
 - m. Downtown Zoning Districts: Parking Space requirements for uses in the following Zoning Districts may be waived by the Plan Commission or Director if determined sufficient parking alternatives are available in the City's downtown: *LB-H: Local Business / Historical District, [reserved for future use], [reserved for future use], [reserved for future use], [reserved for future use], and [reserved for future use]*.
 - n. Other Uses: Parking Space requirements for other uses shall be determined by the Director based upon data supplied by the Applicant in response to traffic and parking data requested to be furnished with the application for an Improvement Location Permit.
- H. **Bicycle Parking:** It is the purpose of this section to provide adequate and safe facilities for the storage of bicycles. This section shall apply to all new development and/or building expansions requiring Development Plan approval or an Improvement Location Permit.
1. Number of Spaces: A minimum of one (1) bicycle parking space (or parking position) shall be provided per thirty (30) vehicular parking spaces. No more than fifteen (15) bicycle parking spaces shall be required for any Principal Building.
 2. Proximity to Principal Building: The bicycle parking spaces shall be located in close proximity to the main entryway into the Principal Building or be located inside the Principal Building.
 3. Rack Requirement: A bicycle rack, which may contain multiple bicycle parking spaces, shall be installed on a hard dustless surface that allows the parking structure to be securely fastened to the ground and that secures the bicycles.
 4. Pedestrian Ways: Bicycle Parking Areas shall be designed such that when in use, the bicycles (and trailers), shall not obstruct an adjacent sidewalk, path, or other pedestrian way and located to provide a minimum of five (5) feet of clearance behind the bicycle to allow for room to maneuver.
 5. Exemptions: Single-family Dwellings and Duplex Dwellings shall be exempt from this section. In addition, the Plan Commission or Director may exempt certain uses from this section where it can be clearly demonstrated that the use is not a destination for the general public utilizing bicycles (e.g., day care centers, warehousing and distribution, car washes, drive up establishments, other auto-oriented uses as determined by the Director).

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6.15 Performance Standards

- A. **Applicability:** This section shall apply to all uses in all Zoning Districts as set forth herein. The restrictions of this Article shall not apply to: (1) the activities of site preparation or construction, maintenance, repair, alterations, modification or improvement of buildings, equipment or other improvements on or within the Lot; (2) the operation of motor vehicles or other facilities for the transportation of personnel, materials or products; (3) conditions beyond the control of the user such as fire, explosion, accidents, failure or breakdown of equipment or facilities or emergencies; or (4) safety or emergency warning signals or alarms necessary for the protection of life, limb or property.
- B. **General Requirements:** This section shall apply to Uses in all Zoning Districts. Please note that the [Westfield Code of Ordinances; Chapter 34-30 et seq.](#), as amended, also applies within the City's corporate limits.
1. **Obnoxious Characteristics:** No use shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance.
 2. **Fire Protection:** Fire fighting equipment and prevention measures acceptable to the Fire Department and any federal, State, County, and/or local authorities that may also have jurisdiction shall be readily available and apparent when any activity involving the handling or storage of flammable or explosive materials is conducted.
 3. **Electrical Disturbance:** No use shall cause electrical disturbance adversely affecting radio, television or other equipment in the vicinity.
 4. **Noise:** No use shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, beat, shrillness or vibration. Said noise shall be muffled or otherwise controlled so as not to become detrimental, provided, however, public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.
 5. **Vibration:** No use shall cause vibrations or concussions detectable beyond the lot lines without the aid of instruments.
 6. **Odor:** No use shall emit across the lot lines malodorous gas or matter in such quantity as to be detectable at any point along the lot lines.
 7. **Air Pollution:** No use shall discharge across the lot lines fly ash, dust, smoke, vapors, noxious, toxic or corrosive matter, or other air pollutants in such concentration as to be detrimental to health, animals, vegetation or property, or conflict with public air quality standards.
 8. **Heat and Glare:** No use shall produce heat or glare in such a manner as to be a nuisance or create a hazard perceptible from any point beyond the lot lines.
 9. **Water and Solid Waste Pollution:**

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- a. No use shall produce erosion or pollutants in such quantity as to be detrimental to adjacent properties or conflict with public water quality standards.
 - b. No authorization of a use under this Ordinance includes the authority to discharge liquid or solid wastes into public waters except as permitted under Indiana State Code. Plans and specifications for proposed sewage and other waste treatment and disposal facilities shall be approved by authorities that may have jurisdiction.
 - c. No use shall accumulate within the Lot or discharge beyond the Lot Lines any waste matter, whether liquid or solid, in conflict with applicable public health, safety and welfare standards and regulations.
- C. **Industrial Uses:** This section shall also apply to Industrial Districts and all Industrial Uses.
1. **Activity Restrictions:** No activity involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted unless specifically approved and licensed by the City and then only in the *OI: Open Industrial District*. Such activity shall be conducted in accordance with the rules promulgated by the Indiana State Fire Marshal. Such materials shall include, but are not limited to, all primary explosives such as lead azide, lead styphnate, fulminates, and tetracene; all high explosives such as TNT, HMX, PET, and picric acid, propellants and components thereof, such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds such as acetylides, tetrazoles, and ozonides, strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent; nuclear fuels, fissionable materials and products and reactor elements such as uranium 235 and plutonium 239.
 2. **Smoke:**
 - a. The emission of more than seventy (70) smoke units per hour per stack and emissions in excess of Ringelmann No. 2 are prohibited, except that for one hour during any 24-hour period, this rate may be increased to 80 smoke units per stack up to and including Ringelmann No. 3 for the purging, soot blowing and fire cleaning.
 - b. *OI: Open Industrial District:* The emission of more than ninety (90) smoke units per hour per stack and emission in excess of Ringelmann No. 3 are prohibited, except that for a one hour period during the 24-hour period this rate may be increased to one hundred and twenty (120) smoke units per hour per stack, still at Ringelmann No. 3 for purposes of process purging, soot blowing and fire cleaning.
 3. **Particulate Matter:** The rate of emission of particulate matter from an individual process within the boundaries of any lot shall not exceed a

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figure of 0.06 pounds per 1,000 pounds of effluent gas for enclosed industrial use, not 0.2 pounds per 1,000 pounds of effluent gas for open industrial use. For enclosed industrial use and open industrial use not more than fifty percent (50%) by weight particles larger than 44 microns (325) mesh shall be allowed.

4. Odor: Any activity or operation which releases odors to the atmosphere shall be so controlled as to insure that it will produce no public nuisance or hazard at or beyond the nearest Residential District boundary line.
5. Poisonous and Injurious Fumes and Gases: The emission of toxic or injurious fumes and gases shall be controlled so as to comply with the following:
 - a. The emission from any source shall not cause at or beyond any lot line, concentrations of toxic and/or injurious fumes and gases in excess of ten percent (10%) for an enclosed industrial use, and twenty-five percent (25%) for an open industrial use, of the threshold limit as set for the fume or gas in question in the "Threshold Limit Values for Toxic Materials in Industry" issued by the Indiana Department of Environmental Management, from the American Conference of Governmental Hygienists, latest issue.
 - b. The emission of any gas or fumes across lot lines in such concentrations as to be detrimental to or endanger public health, safety, comfort and welfare or shall cause injury or damage to property or business is prohibited.
6. Glare and Heat: No use, operation, activity or structure shall cause heat or glare in such a manner as to be a public nuisance at or beyond any Residential or Business District boundary.
7. Vibration: Any use creating intense earthshaking vibrations (i.e. created by a heavy drop forge) shall be set back from a Residential District boundary at least two hundred and fifty (250) feet, or at least one hundred and fifty (150) feet from a Business District boundary. Earthshaking vibrations at the property line shall not be in violation of this Ordinance as long as the vibration is not perceptible without the aid of instruments.
8. Noise:
 - a. Enclosed Industrial: At no point one hundred and twenty-five (125) feet from the boundary of an *El: Enclosed Industrial District*, or any district which permits an enclosed Industrial Use, shall the sound pressure level of any operation or plant (other than background noises produced by sources not under the control of this Article) exceed the decibel limits in the Octave Bands designated below:

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CHART: MAXIMUM PERMITTED SOUND LEVELS FOR ENCLOSED INDUSTRIAL

Octave Band Frequency Cycles per Second	Max. Sound Level 125' from Adjoining Residential District Boundary	Max. Sound Level 125' from Adjoining Business District Boundary
0 to 75	75 decibels	80 decibels
76 to 150	70 decibels	75 decibels
151 to 300	65 decibels	70 decibels
301 to 600	59 decibels	64 decibels
601 to 1200	53 decibels	58 decibels
1201 to 2400	48 decibels	53 decibels
2401 to 4800	48 decibels	49 decibels
Above 4800	41 decibels	46 decibels

- b. Open Industrial: At no point one hundred and twenty-five (125) feet from the boundary of an *Ol: Open Industrial District* shall the sound pressure of any operation or plant (other than background noises produced by sources not under control of this chapter) exceed the decibel limits in the Octave Bands designated as follows:

CHART: MAXIMUM PERMITTED SOUND LEVELS FOR OPEN INDUSTRIAL

Octave Band Frequency Cycles per Second	Max. Sound Level 125' from Adjoining Residential District Boundary	Max. Sound Level 125' from Adjoining Business District Boundary
0 to 75	75 decibels	81 decibels
76 to 150	70 decibels	76 decibels
151 to 300	66 decibels	72 decibels
301 to 600	62 decibels	68 decibels
601 to 1200	57 decibels	63 decibels
1201 to 2400	53 decibels	59 decibels
2401 to 4800	49 decibels	55 decibels
Above 4800	45 decibels	51 decibels

9. Fire Hazards: The storage, utilization or manufacture of solid materials, or products ranging from incombustible to moderate burning is permitted. The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted provided the following conditions are met:
- Materials shall be stored, utilized or manufactured in such a manner and protected by such means as approved by the Indiana State Fire Marshal; and
 - Storage, utilization or manufacture of flammable liquids or gases, which produce flammable or explosive vapors, shall be permitted in accordance with the rules and regulations of the Indiana State Fire Marshall regulating the use, handling, storage and sale of flammable liquids - Official Regulation Number 5, effective July 23, 1973.

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6.16 Setback Standards

- A. **Applicability:** This Article shall apply to all Zoning Districts.
- B. **Measurement:** The measurement of any Building Setback Line or Building Separation is the shortest distance between the Building Facade or foundation and the Lot Line or Right-of-way line, whichever is closest. In the case of Private Streets, the Building Setback Line shall be measured from the edge of pavement or the access easement line, whichever is greater.
- C. **Minimum Building Setback Lines:** The minimum Building Setback Lines and minimum Building Separation requirements shall be as set forth in this Ordinance (see also [CHAPTER 4: ZONING DISTRICTS](#) and [CHAPTER 5: OVERLAY DISTRICTS](#)).
- D. **Established Areas:** Where twenty-five percent (25%) or more of the Lots in a Block Frontage are occupied by buildings, then the average Building Setback Line of buildings on that Block determine the location of the Building Setback Line for the Block Frontage in lieu of the Building Setback Lines contained in this Ordinance.
- E. **Recorded Subdivision Setback Lines:** Building Setback Lines established in a recorded Subdivision shall establish the setback of buildings in such subdivisions, except when such Building Setback Lines may be less restrictive than provided in this Ordinance.
- F. **Building Line Exception:** In any Subdivision a variance of ten percent (10%) in the minimum Building Setback Line may be permitted as long as the minimum Lot Area requirement is not lessened; provided further, this exception may only be applicable to ten percent (10%) of the Lots in the Subdivision. In calculating the number of Lots eligible, any fraction shall be considered as the next highest whole number.
- G. **Vision Clearance:** Regardless of the minimum setback requirements set forth herein, all Improvements are subject to [Article 6.19 Vision Clearance Standards](#), unless specifically exempted elsewhere in this Ordinance.

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6.17 Sign Standards

- A. **Purpose and Intent:** The community wishes to establish sign regulations for the design, placement, and maintenance of signs which provide a reasonable and impartial means to permit communication, protect the public health, safety, and general welfare, minimize hazards to pedestrians and motorists along Streets and at intersections, enhance the aesthetic environment of the community, safeguard property values, minimize possible adverse effects of signs on nearby property, protect public and private investment in buildings and open space and implement relevant provisions of the comprehensive plan as updated on an annual basis. The community wishes to balance the rights of businesses to identify themselves with the rights of the public to have uncluttered, safe and attractive public rights-of-way. The responsible regulation of signs will foster business opportunities and improve the quality of life in the community.
- B. **Applicability:** This Article shall apply to all Signs, including but not limited to changes in Sign Copy.
- C. **Permits:** A sign permit shall be required for all signs (including but not limited to changes in Sign Copy), unless otherwise exempted herein. The Director shall have the authority to review and decide upon sign permit applications. See [Article 10.10 Sign Permits](#). If the proposed sign plan is in compliance with the requirements of this Ordinance, then a sign permit shall be issued.
- D. **Exceptions:** Exceptions to the standards of this Article and sign permit requirement shall include:
1. All regulatory, informational, identification, or directional signs required by law or government entity.
 2. Temporary signs advertising events put on by public entities (e.g., City or Township) and school districts.
 3. Scoreboards for public and private Recreational Facilities and institutions that do not provide for commercial or business advertising displays.
 4. Permanent drive-thru menu boards where drive-thru uses are permitted.
 5. Historic site makers or plaques, flags of government, gravestones, and address numbers.
 6. Flags of commercial or noncommercial institutions if the following conditions are met:
 - a. Shall be displayed on a flag pole;
 - b. May only be displayed with an accompanying United States flag on the same flagpole or nearby flag pole within the same display;
 - c. Shall be subordinate in size to the accompanying United States flag;
 - d. May be displayed at the rate of no more than one (1) commercial or noncommercial institution flag per displayed United States flag; and
 - e. All flags shall be displayed per [U.S. Code 36-10](#).
 7. Structures and/or containers intended for separate use such as phone booths, waste management containers, and point-of-purchase

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advertising displays.

8. Lettering or symbols placed directly onto a licensed and operable motor vehicle or trailer operating in the normal course of business provided that a vehicle or trailer is not parked or positioned solely for advertising purposes.
9. Private informational Signs such as “no trespass,” “private,” “sale,” etc. which do not exceed four (4) square feet in surface area.
10. Political Signs, which do not impair lines of sight for vehicles or pedestrians.
11. Seasonal decorations within the appropriate holiday season or civic festival season and that does not include commercial advertising or business information.
12. Signs appearing on gasoline pumps and automatic teller machines (ATM), including credit card information, fuel information, and bank network information is exempted. The business name or logo is permitted if less than three (3) inches in height.
13. Signs appearing on permitted newspaper vending boxes, DVD/CD vending boxes, soda machines, and other similar vending boxes.

E. **Prohibitions:** The following shall be prohibited:

1. Signs or sign structure similar in coloring, shape, function or location nor resemble, conflict with or be confused with any approved traffic-control sign or device.
2. Signs that create a safety hazard for vehicles or pedestrians, as determined by the Department of Public Works.
3. Signs placed in any Right-of-way, except publicly owned traffic-control and transit signs, informational, identification, directional signs, and temporary signs, as regulated by this Article.
4. Pole Signs.
5. Off-premise Signs; except as otherwise permitted by this Article.
6. Display of temporary signs such as banners, flags, posters, pennants, ribbons, streamers, spinners, strings of lights, feather flags or signs, balloons or inflatable signs; except as otherwise permitted by this Article.
7. Signs projecting into the Right-of-way; except that a business Sign mounted on a building may be permitted to project eighteen (18) inches from the face of a Building Facade or as otherwise granted by the Council or designee.
8. Signs mounted on a roof or that extend above an eave or parapet of a Building Facade.
9. Signs that revolve, flash, blink, swing or appear to move.
10. Signs affixed to trees, fence posts, utility poles or other support structures.

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11. Sign placed on a personal or commercial vehicle or trailer which is then parked or positioned for the primary purpose of displaying the Sign.
12. Manual changeable copy signs.

F. **General Sign Regulations:** All Signs shall conform to the following:

1. **Maintenance and Repair:**

- a. All Signs and sign structures shall be kept and maintained in a good state of repair and in a safe condition at all times. Maintenance and repair shall include, but not be limited to:
 - i. The replacement of defective parts.
 - ii. The replacement of missing or damaged sign panels, supports or other components and parts.
 - iii. Cleaning Sign and sign structure components.
 - iv. Repainting Sign and sign structure components.
- b. Replacing damaged Sign panels with different Sign Copy does not constitute maintenance and repair. Replacing damaged sign panels with different Sign Copy shall be treated as replacing any Sign with new Sign Copy.
- c. Taking a Sign or a sign structure down for the purposes of maintenance and repair is permitted.

2. **Abandoned Signs:**

- a. Abandoned Sign Copy shall be removed by the Property Owner or lessee of a site upon which the sign is located within three (3) months after the business or service advertised by the sign ceases operations.
- b. Legally existing sign foundations and structures with copy removed may remain upon a site for twenty-four (24) months with the Property Owner's written consent provide that the foundations and structure are maintained pursuant to this Article.

3. **Lines of Sight:** All Signs shall comply with [Article 6.19 Vision Clearance Standards](#).

4. **Illumination:** Illumination of signs shall be regulated pursuant to [Article 6.9 Lighting Standards](#). In addition, illuminated signs shall be setback a minimum distance of twenty-five (25) feet from any Residential District.

5. **Sign Area:** In no instance shall a permitted non-residential use or tenant be restricted to less than twenty-five (25) square feet of Sign Area, nor shall any permitted nonresidential use or tenant be permitted to display more than five (500) hundred square feet of Sign Area.

6. **Electronic Signs:** Electronic Signs shall comply with the following:

- a. Electronic Signs shall be limited to Monument Signs.
- b. The entire electronic display area for Electronic Sign shall count toward the permitted Sign Area, as applicable to the type of sign (e.g., Monument Sign) and as permitted in this Article.
- c. The maximum height of any letter, number or character shall be twenty (20) inches.

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- d. An Electronic Sign shall not exceed fifty percent (50%) of the Sign Area of the Sign, as permitted by this Article, on which it is located; however, in no instance shall an Electronic Sign exceed sixty (60) square feet, per face.
 - e. The effects or use of moving, flashing, blinking, animation, scrolling, twirling, or other similar effects (including but not limited to video) are prohibited.
 - f. Changes of image shall not occur more than once per hour, except for displays containing only time and/or temperature.
 - g. Changes of image shall be instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change.
 - h. Electronic Signs shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the standards established in this subsection. All Electronic Signs shall have installed ambient light monitors and at all times shall allow such monitors to automatically adjust the brightness level of the electronic sign based on ambient light conditions. Maximum brightness levels for Electronic Signs shall not exceed five thousand (5,000) nits when measured from the Sign's face at its maximum brightness, during daylight hours, and five hundred (500) nits when measured from the Sign's face at its maximum brightness between sunset and sunrise.
7. Identification with the City: Title signs shall include, as an integral part of the sign design, the words "of Westfield" following any designation of an industrial park, office park, apartment development, Subdivision or Nonresidential Center name and alike. The size of the words "of Westfield" shall be a minimum of fifty percent (50%) of the size of the development's name on the Sign and shall not count toward the Sign's otherwise permitted Sign Area. Where "of Westfield" is required on a Sign, then the design and material used to include this wording shall be the same as the other lettering on the sign. If the word "Westfield" is already part of the development's name on the Sign, then there shall be no requirement for the location of the words "of Westfield" on the Sign.
 8. Identification with Grand Park: Signs that include identification with Grand Park™ shall only be permitted with the written approval and authorization by the City and if permitted, shall not count toward the Sign's otherwise permitted Sign Area.
 9. Reverse Channel Letters: Reverse channel letters may be used in accordance with the following:
 - a. Shall comply with [Article 6.9 Lighting Standards](#).
 - b. Individually mounted letters may be used; however, if the letters are mounted on a track, then the track shall be the same color as the background building material on which the track is mounted.
 10. Window Signage:

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- a. Maximum Sign Area: Twenty-five (25) percent of the window pane.
- b. Maximum Height: No maximum.
- c. Installation: The use of fluorescent colors is prohibited, excluding small signs used inside businesses to indicate that they are open for business.
- d. Removal: Damaged or faded Signs shall be removed or maintained to “new” appearance.
- e. Maximum Number of Signs: No Maximum.
- f. Sign Permit: No permit required.

11. Monument Signs:

- a. Materials: Shall incorporate brick, stone or equivalent substitute in the construction of the sign base, cap and supporting structure. Materials shall compliment the materials used on the Front Building Facade of the Building(s).
- b. Landscaping: Shall include landscaping around the base of the Monument Sign. See [Article 6.8 Landscaping Standards](#) for landscaping details.

G. Residential Signs:

1. Monument Signs: Subdivisions and developments for Single-family and Multi-family Dwellings shall be permitted one (1) of the following to be located at the entrance(s) of the development:
 - a. One (1) Monument Sign per development entrance not to exceed nine (9) feet in height and thirty-two (32) square feet of Sign Area per sign face; or,
 - b. Two (2) separate sign display areas per entrance, provided that the Sign Area is directly incorporated into an entrance landscape feature, wall, or other decorative feature. In no instance shall the Sign Area exceed fifteen (15) feet in height or fifty (50) square feet per Sign.
2. Home Businesses:
 - a. Home Businesses shall be permitted one (1) sign per Dwelling which shall not exceed four (4) square feet in total sign area; and
 - b. Home Business signs shall only be affixed to a wall or door of the structure containing the business.
3. Permitted nonresidential uses located in Residential Districts shall be allowed signage as per Individual Non-residential Signs set forth below.
4. Temporary Signs shall be permitted as set forth in this Article.

H. Individual Nonresidential Signs: All Individual Nonresidential Uses shall be permitted signage as set forth below, unless otherwise permitted by this Article. Outlots of Nonresidential Centers are not considered individual uses and are regulated as set forth in this Article for Outlot Signage.

1. Sign Area: The total Sign Area Allocation permitted shall be one (1) square foot of Sign Area for each one (1) linear foot of building fronting on a public Right-of-way. The total permitted Sign Area Allocation may be divided between Monument, Wall, Awning, Projecting Signs

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(projecting signs permitted in downtown only), and all legally-established nonconforming Signs. Both sides of a Monument or Projecting Sign shall count against Sign Area Allocation for a site.

2. **Monument Signs:** A maximum of one (1) Monument Sign shall be permitted for each public Street Frontage per Lot in accordance with the following:
 - a. **Maximum Sign Area:** Sixty (60) square feet per sign face.
 - b. **Maximum Sign Height:** Six (6) feet; however, may be nine (9) feet only when incorporating a sign base and sign cap features. Monument signs incorporating a cap or base shall have a minimum base height of six (6) inches, a maximum base height of twenty-four (24) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed three (3) feet. Sign caps and bases shall not be used for sign display or advertising purposes.
 - c. **Maximum Sign Width:** Twelve (12) feet.
3. **Interior Circulation Sign(s):** Interior circulation signage containing traffic directing information only (such as “Enter”, “Exit”, “Do Not Enter”, etc.) shall be permitted as follows:
 - a. **Maximum Sign Area:** Two (2) square feet. Interior Circulation Signs are not deducted from the Sign Area Allocation.
 - b. **Maximum Sign Height:** Three (3) feet.
 - c. **Business Identification:** May contain wording, logos, symbols or emblems related to the use.
4. **Setbacks:** All Signs shall conform to the Zoning District’s Side and Rear Yard Building Setback Line requirements and in addition, shall have a minimum Front Yard or Right-of-way setback requirement of five (5) feet from a Lot Line or Right-of-way.
- I. **Downtown:** Signs within the **LB-H: Local Business / Historical District** shall be regulated per Individual Nonresidential Signs as set forth above. In addition, Projecting Signs, which do not exceed sixteen (16) square feet in Sign Area and Temporary Signage, as set forth herein, shall be permitted.
- J. **Nonresidential Center Signs:** All Nonresidential Centers in the **LB-H: Local Business / Historical District** shall be regulated as set forth above. All other Nonresidential Centers shall be permitted Signs as set forth below, unless otherwise permitted by this Article:
 1. **Sign Plan:** A sign plan shall be submitted for a Nonresidential Center prior to receiving the first sign permit for the center or its tenants. The sign plan shall include:
 - a. Site plan, to scale, depicting the location of all signage.
 - b. Building elevation, to scale, depicting the approximate location of all Wall, Awning and under-canopy Signs.
 - c. Description of uniform lighting method (for example: reverse channel, channel, panel, exterior above, or exterior below lighting). Landscape Plan for all Monument Signs.

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2. Monument Sign(s) (Center Only): Nonresidential Centers shall be permitted one (1) Monument Sign per Nonresidential Center in accordance with the following:
 - a. Sign Area and Height: Shall not exceed the following:
 - i. Nonresidential Centers with total square footage of all buildings less than 25,000 square feet: Nine (9) feet in Sign Height and sixty (60) square feet of Sign Area, per face.
 - ii. Nonresidential Centers with total square footage of all buildings between 25,000 and 100,000 square feet: Fifteen (15) feet in Sign Height and one hundred and twenty (120) square feet of Sign Area, per face.
 - iii. Nonresidential Centers with total square footage of all buildings greater than 100,000 square feet: Twenty-five (25) feet in Sign Height and two hundred and fifty (250) square feet of Sign Area, per face.
 - b. Sign Base Height: Shall have a minimum base height of six (6) inches and a minimum cap height of two (2) inches. Total aggregate sign cap and base height shall not exceed six (6) feet. Sign caps and bases shall not be used for display or advertising purposes.
 - c. Sign Copy: The replacement of individual panels does not require a sign permit.
3. Entrance Sign(s) (Center Only): In addition to a Monument Sign, a Nonresidential Center shall be permitted one (1) Entrance Sign per point of ingress which shall be limited to a maximum Sign Height of six (6) feet, maximum Sign Area of thirty (30) square feet per sign face, and shall not contain tenant information.
4. Interior Circulation Signs: Interior Circulation Signs containing traffic directing information only (such as "Enter", "Exit", "Do Not Enter", etc.) shall be permitted as follows:
 - a. Maximum Sign Area: Two (2) square feet and shall not be deducted from the Sign Area Allocation.
 - b. Maximum Sign Height: Three (3) feet.
 - c. Business Identification: May contain wording, logos, symbols or emblems related to the use.
5. Center In-Line Tenant Signage: All in-line tenants of Nonresidential Centers shall be permitted Wall Signs as set forth below. Center in-line tenants shall not be permitted individual Monument Signs.
 - a. Sign Area Allocation:
 - i. Front Façade: Two (2) square feet of signage for each linear foot of the tenant's front Building Façade. All in-line tenants shall have only one (1) front façade, that being the Building Façade with the tenant's primary public entrance.
 - ii. Side Façade: One (1) square foot of signage for each linear foot of the tenant's side Building Façade.

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- iii. **Rear Façade:** One (1) square foot of signage for each linear foot of the tenant's rear Building Façade.
 - b. **Location:** Shall be located within the Sign Plane and shall not obscure any architectural enhancements or features (e.g., changes in materials) of the Building Façade. A Wall, Under Canopy, and Awning Sign shall only be located on the Building Façade from which its Sign Area Allocation was derived.
 - c. **Sign Area:** Shall not exceed fifty percent (50%) of the Sign Plane; however, the total permitted Sign Area Allocation per façade may be divided between all, Under Canopy, and Awning Signs.
6. **Two-Story, Multi-Tenant Signage:**
- a. **Ground Floor In-Line Tenant Signage:**
 - i. All ground floor in-line tenants of two-story, multi-tenant structures shall be regulated per above for Center In-Line Tenant Signage.
 - ii. Ground floor in-line tenant signs shall be located on a Building Façade and shall not be located higher than twenty-six (26) feet, from grade.
 - iii. Ground floor in-line tenants shall not be permitted individual Monument Signs.
 - b. **Second Floor Tenant Signage:** Second floor tenant signs shall be located on the Front Building Façade and permitted as follows:
 - i. The sign area allotment shall be calculated at the rate of 0.35 square foot of signage for each linear foot of the Front Building Façade. The total permitted second floor sign area allocation may be divided between wall and awning signs.
 - ii. Each two-story, multi-tenant structure shall be permitted second-floor tenant signage using the following chart:

Chart: Second Floor Tenant Signage

Linear Feet of Front Building Façade	Number of Signs Allowed
0 to 199 feet	1
200 to 399 feet	2
400 feet or greater	3

- iii. All second floor tenant signs shall be located no less than twenty-six (26) feet above grade on the Front Building Façade.
 - iv. No tenant shall be permitted more than one (1) sign on the Front Building Façade.
 - v. Each patron entrance for second floor tenants is permitted one (1) wall directory sign OR one (1) ground directory sign AND one (1) building identification sign in accordance with the following:
 - (a) **Directory Signs:**
 - (1) **General:** Shall be located within fifteen (15) feet of the patron entrance for second floor tenants and shall not be illuminated.
 - (2) **Wall Directory Signs:** Shall not exceed four (4) square feet

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in size and shall not be located more than five (5) feet above grade.

- (3) Ground Directory Signs: Shall not exceed six (6) square feet per face and shall not exceed five (5) feet in height from grade.

(b) Building Identification Signs:

(1) General:

- (i) One (1) building identification sign is permitted per patron entrance.
- (ii) Shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance.
- (iii) Shall not include tenant information.
- (iv) Shall not be illuminated.

(2) Building Identification Signs on a Canopy:

- (i) Shall not exceed twelve (12) inches in height.
- (ii) Shall not exceed twelve (12) feet in length.
- (iii) Channel letters and sign panels are prohibited from use on building identification signs on a canopy.
- (iv) Reverse channel letters are permitted.

(3) Other Building Identification Signs:

- (i) Shall not exceed six (6) inches in height.
- (ii) Shall not exceed six (6) feet in length or the width of the patron entrance doorway, whichever is less.
- (iii) Building identification signs shall not protrude from the Building Façade.
- (iv) Channel letters, reverse channel letters, and sign panels are prohibited from use on building identification signs.
- (v) Transom window signs are permitted and may exceed the provisions otherwise set forth herein.

vi. Second Floor Tenant signage and directory signage is not eligible for the sign area bonuses.

vii. Second floor tenants shall not be permitted individual Monument Signs.

7. Multi-Story, Multi-Tenant Signage (Three Stories or More):

a. Ground Floor In-Line Tenant Signage:

- i. All ground floor in-line tenants of two-story, multi-tenant structures shall be regulated per above for Center In-Line Tenant Signage.
- ii. Shall not be located higher than twenty-six (26) feet, from grade.
- iii. Ground floor in-line tenants shall not be permitted individual Monument Signs.

b. Upper Floor Tenant Signage:

- i. Second Floor Tenant signage, as defined herein, is prohibited on structures three (3) or more stories.

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- ii. Each multi-story, multi-tenant structure shall be permitted one (1) Wall Sign per each Building Façade adjacent to a Public Right-of-way.
- iii. The sign-area allotment shall be calculated at the rate of one percent (1%) of the Building Façade's square footage, including fenestration.
- iv. Upper Floor Tenants signs shall be located at the top edge of the Building Façade.
- v. Each patron entrance for second floor tenants is permitted either (i) one (1) wall directory sign; or (ii) one (1) ground directory sign and one (1) building identification sign:
 - (a) Directory Signs: Shall be located within fifteen (15) feet of the patron entrance for second floor tenants and shall not be illuminated.
 - (b) Wall Directory Signs: Shall not exceed four (4) square feet in size and shall not be located more than five (5) feet above grade.
 - (c) Ground Directory Signs: Shall not exceed six (6) square feet per face and shall not exceed five (5) feet in height from grade.
 - (d) Building Identification Signs:
 - (1) General:
 - (i) One (1) building identification sign is permitted per patron entrance.
 - (ii) Shall be located either on an exterior wall above a patron entrance OR on a canopy over a patron entrance.
 - (iii) Shall not include tenant information.
 - (iv) Shall not be illuminated.
 - (2) Building Identification Signs on a Canopy:
 - (i) Shall not exceed twelve (12) inches in height.
 - (ii) Shall not exceed twelve (12) feet in length.
 - (iii) Channel letters and sign panels are prohibited from use on building identification signs on a canopy.
 - (iv) Reverse channel letters are permitted.
 - (3) Other Building Identification Signs:
 - (i) Shall not exceed six (6) inches in height.
 - (ii) Shall not exceed six (6) feet in length or the width of the patron entrance doorway, whichever is less.
 - (iii) Shall not protrude from the Building Façade.
 - (iv) Channel letters, reverse channel letters, and sign panels are prohibited from use on building identification signs.
 - (v) Transom window signs are permitted and may exceed the provisions otherwise set forth herein.

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- vi. Upper floor tenant signage and directory signage is not eligible for the sign area bonuses.
 - vii. Upper floor tenants shall not be permitted individual monument signs.
8. **Outlot Signage:**
- a. **Sign Area:** All Outlots of nonresidential centers shall be permitted one (1) square foot of sign area for each one (1) linear foot of building fronting on a Public Right-of-way.
 - b. **Sign Type:** The total permitted sign area allocation may be divided between Wall, Awning, and Under Canopy Signs; however, all Sign Area shall be deducted from the total sign allocation for the Outlot. Outlots within a nonresidential center shall not be permitted Monument Signs.
 - c. **Location:** Signs may be located on any Building Facade.
9. **Under Canopy Signs:** Under Canopy Signs shall only be permitted in Business Zoning Districts and shall conform to the following regulations:
- a. Shall be placed under canopies or roof overhangs.
 - b. Shall not exceed one (1) per building entrance.
 - c. Shall not exceed three (3) square feet in Sign Area and shall not count toward the business's permitted Sign Area allotment.
 - d. Shall not be separately illuminated.
 - e. Shall contain only the address, logo, or name of the occupant or business served by the entrance.
- K. **Temporary Signage:** Temporary signs shall be permitted as follows:
- 1. **General:**
 - a. Shall not be placed or erected upon any public infrastructure including, but not limited to, telephone poles, benches, regulatory signs, trash cans and right-of-way fences.
 - b. Shall not obstruct vehicular Lines of Site, as set forth herein.
 - c. Shall not be erected within five (5) feet of a Public Way surface or, if a curb exists, within five (5) feet of a Public Way's back-of-curb.
 - d. Shall not obstruct or be placed upon sidewalks, pathways or other pedestrian infrastructure.
 - e. Shall not be illuminated.
 - 2. **Construction Signs:** Signs advertising construction projects, provided that such Signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, are limited to a maximum of one (1) sign per Street Frontage, and shall be removed at the end of construction.
 - 3. **Residential Event Signs:**
 - a. **Maximum Sign Area (per side):** Six (6) Square Feet.
 - b. **Maximum Sign Height:** Three (3) Feet.
 - c. **Installation:** Residential Event Signs shall not be erected or installed more than five (5) days prior to the advertised event.
 - d. **Removal:** Residential Event Signs shall be removed immediately

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- after the advertised event.
- e. Maximum Number of Signs Per Event: Five (5) Signs.
 - f. Permit: No permit required.
4. Nonresidential Special Event Signs:
- a. Maximum Sign Area (per side): Six (6) Square Feet.
 - b. Maximum Sign Height: Four (4) Feet.
 - c. Installation: Nonresidential Special Event Signs shall not be erected or installed more than thirty (30) days prior to the advertised event.
 - d. Removal: Nonresidential Special Event Signs shall be permitted to remain for no longer than five (5) days after the advertised event.
 - e. Maximum Number of Signs Per Event: One hundred (100).
 - f. Frequency: The same event is allowed Nonresidential Special Event Signs no more than two (2) times within a twelve (12) month period.
 - g. Permit: No permit required.
5. Real Estate Signs:
- a. Open House Directional Signs:
 - i. Maximum Sign Area (per side): Six (6) Square Feet.
 - ii. Maximum Sign Height: Three (3) Feet.
 - iii. Installation: Shall not be erected or installed more than two (2) days prior to the open house event.
 - iv. Removal: Shall be removed immediately after the open house event.
 - v. No permit required.
 - b. Residential Real Estate Signs:
 - i. Maximum Sign Area (per side): Six (6) Square Feet.
 - ii. Installation: Shall only be erected or installed on the parcel that is being marketed for sale.
 - iii. Removal: Shall be removed immediately after the closing of the parcel being marketed.
 - iv. Maximum Number of Signs: One (1) per street frontage.
 - v. No permit required.
 - c. Nonresidential Real Estate Signs:
 - i. Maximum Sign Area (per side): Sixty-four (64) Square Feet.
 - ii. Maximum Sign Height: Six (6) Feet.
 - iii. Installation: Shall only be erected or installed on the parcel that is being marketed for sale.
 - iv. Removal: Shall be removed immediately after the closing of the parcel being marketed.
 - v. Maximum Number of Signs: One (1) sign for every five hundred (500) feet of street frontage.
 - vi. No permit required.
 - d. Acreage For Sale Signs:
 - i. Maximum Sign Area (per side): Thirty-two (32) Square Feet.
 - ii. Maximum Sign Height: Eight (8) Feet.

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- iii. Installation: Shall only be erected or installed on land that is at least three (3) acres in size and is being marketed for sale, rental, or lease.
 - iv. Removal: Shall be removed immediately after the closing or lease signing of the land being marketed.
 - v. Maximum Number of Signs: One (1) per street frontage.
 - vi. No permit required.
- e. Builder/Developer Directional Signage Off-Site:
 - i. Maximum Sign Area (per side): Six (6) square feet.
 - ii. Maximum Sign Height: Three (3) feet.
 - iii. Installation: Signs shall not be erected or installed until Friday evenings at 6:00 p.m.
 - iv. Removal: Signs shall be removed by 8:00 p.m. Sunday evenings.
 - v. Maximum Number of Signs: Six (6).
 - vi. No permit required.
- f. Builder/Developer Directional Signage On-Site:
 - i. Maximum Sign Area (per side): Six (6) square feet.
 - ii. Maximum Sign Height: Three (3) feet.
 - iii. Installation: Signs shall be erected within the development and not visible from the off-site adjacent Arterial or Collector.
 - iv. Removal: Signs shall be removed at time of turnover to a homeowners' association or when eighty percent (80%) of the development's lots are sold.
 - v. Maximum Number of Signs: Unlimited.
 - vi. No permit required.
- g. Builder/Developer Kiosk Directional Signage On-Site:
 - i. Maximum Sign Area (per side): Eighteen (18) square feet.
 - ii. Maximum Sign Height: Six (6) feet.
 - iii. Installation: Signs shall be erected within the development and shall not be located outside the subdivision entrance signage.
 - iv. Removal: Signs shall be removed at time of turnover to a homeowners' association or when eighty percent (80%) of the development's Lots are sold.
 - v. Maximum Number of Signs: One (1) per development entrance.
 - vi. No permit required.
- h. Home Remodeling Signs or Home Construction Signs:
 - i. Maximum Sign Area (per side): Six (6) square feet.
 - ii. Installation: Shall only be erected or installed on the Lot on which the advertised business is conducting remodeling or construction activities and shall not be erected or installed prior to the advertised business commencing remodeling or construction activities.
 - iii. Removal: Home Remodeling Signs or Home Construction Signs shall be removed immediately upon completion of work activities.

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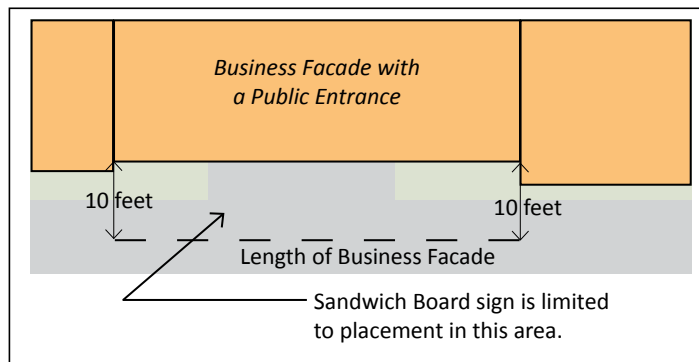
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- iv. Maximum Number of Signs: One (1) per street frontage for each business entity.
- v. No permit required.
- i. Banner Signs:
 - i. Maximum Sign Area (per side): Thirty-two (32) square feet.
 - ii. Maximum Sign Height: Eight (8) feet.
 - iii. Maximum Sign Length: Ten (10) feet
 - iv. Installation: Shall be permitted in nonresidential districts and for nonresidential uses in residential districts.
 - v. Frequency: Shall be limited to fifteen (15) consecutive days per quarter.
 - vi. Maximum Number of Signs: One (1) per use, per street frontage.
 - vii. Permit required.
- j. Sandwich Board Signs:
 - i. General:
 - (a) The placement of sandwich board signs shall not impede pedestrian or vehicular traffic.
 - (b) Shall not exceed six (6) square feet per sign face.
 - (c) Shall not exceed three and one-half (3.5) feet when measured from the outside of a sign support and/or sign face.
 - (d) Sign height shall not exceed five (5) feet when measured from the ground to the top of a sign face or sign support structure.
 - (e) Shall have a base support and the base support shall be weighted with a minimum ten (10) pound ballast to ensure sign stability.
 - (f) Shall not be permanently affixed to any structure or sidewalk.
 - (g) Placement of sandwich board signs in a public right-of-way shall require approval by the Council, or designee.
 - (h) A sign permit is not required.
 - ii. Residential Districts:
 - (a) One (1) sandwich board sign shall be permitted per entrance from a public right-of-way per subdivision.
 - (b) Sandwich board signs advertising subdivision events may be placed in the common area adjacent to the subdivision entrance from a Right-of-way.
 - (c) Shall be posted for no more than seven (7) consecutive days.
 - iii. Business Districts:
 - (a) One (1) sandwich board sign shall be permitted per individual commercial or business use.
 - (b) Sandwich board signs shall not count toward the total sign allotment for a commercial use or business.
 - (c) Signs must be removed at the end of each business day.
 - (d) Signs shall only be placed within ten (10) feet of, and directly in front of, a business's Façade having a public entrance, as illustrated in the figure.

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FIGURE 6.17(A): PERMITTED SANDWICH BOARD LOCATION



- k. **Builder/Developer Sequential Sign Collections:**
- i. **Residential (Not Multi-family Dwellings):**
 - (a) Maximum Sign Area (per side): Fifteen (15) square feet.
 - (b) Maximum Sign Height: Six (6) feet.
 - (c) Installation:
 - (1) Shall be erected within the development.
 - (2) Shall only be allowed on Local Streets.
 - (3) Shall be fastened to Decorative Poles.
 - (d) Removal: Signs shall be removed at time of turnover to a homeowners' association or when eighty percent (80%) of the development's lots are sold.
 - (e) Maximum Number: One (1) per development entrance.
 - (f) Maximum Number per Builder/Developer Sequential Sign Collection: Five (5)
 - (g) Maintenance:
 - (1) Signs and Decorative Poles shall be maintained to look like new.
 - (2) Any Sign or Decorative Pole that does not look like new, as determined by the Director, shall be replaced or removed.
 - (h) Any Sign or Decorative Pole that has been determined to not look like new may be removed by the Director, or designee, at the cost of the Builder/Developer.
 - (i) Permit:
 - (1) A sign permit is required for all new Builder/Developer Sequential Sign Collections.
 - (2) A sign permit is required when there is a change in graphics to the Builder/Developer Sequential Sign Collections display.
 - (3) A sign permit is not required when performing routine maintenance of the Builder/Developer Sequential Sign Collections or pole.
 - (4) A sign permit is not required when replacing Builder/Developer Sequential Sign Collections that do not look like new with new, identical Builder/Developer Sequential Sign Collections.



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- ii. Multi-family Dwellings:
 - (a) Maximum Sign Area (per side): Fifteen (15) square feet.
 - (b) Maximum Sign Height: Six (6) feet.
 - (c) Installation:
 - (1) Shall be erected within the development.
 - (2) Shall only be allowed on Local Streets, Private Streets or private drives within the development;
 - (3) Signs shall be fastened to Decorative Poles.
 - (4) Signs do not count against any Residential Signs otherwise permitted herein.
 - (5) Changing sign display information does not require a new permit.
 - (d) Removal: None required.
 - (e) Maximum Number of Builder/Developer Sequential Sign Collections: One (1) per development entrance.
 - (f) Maximum Number of Signs per Builder/Developer Sequential Sign Collection: Five (5)
 - (g) Maintenance:
 - (1) Signs and Decorative Poles shall be maintained to look like new.
 - (2) Any Sign or Decorative Pole that does not look like new, as determined by the Director, shall be replaced or removed.
 - (3) Any Sign or Decorative Pole that has been determined to not look like new may be removed by the Director, or designee, at the cost of the property owner of record.
 - (h) Permit:
 - (1) A sign permit is required for all new Builder/Developer Sequential Sign Collections.
 - (2) A sign permit is required when there is a change in graphics to the Builder/Developer Sequential Sign Collections display.
 - (3) A sign permit is not required when performing routine maintenance of the Builder/Developer Sequential Sign Collections or pole.
 - (4) A sign permit is not required when replacing Builder/Developer Sequential Sign Collections that do not look like new with new, identical Builder/Developer Sequential Sign Collections.
- iii. Nonresidential: Builder/Developer Sequential Sign Collections are not permitted for nonresidential uses.
- I. Ornamental Banners: The purpose and intent of permitting Ornamental Banners within this section is to provide a temporary themed, uniform, festive display along the perimeter of a residential development, particularly near the development's entrance. See FIGURE 6.17(B): ORNAMENTAL BANNERS for examples.

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- i. Ornamental Banners shall only be permitted within residential areas.
- ii. All Ornamental Banners used by the City shall be exempt from these regulations.
- iii. Maximum Size of Ornamental Banners (per face of the entire display, including the pole): Twenty (20) square feet.
- iv. Height of Ornamental Banners: The face of an entire Ornamental Banner display shall not be wider than it is tall and it shall not extend above the top of the pole
- v. Shall be two-dimensional.
- vi. Shall not be made using fluorescent colors.
- vii. Shall not be made using reflective materials.
- viii. Installation:
 - (a) Shall not be located within the Right-of-way.
 - (b) Shall be located along an adjoining Arterial or Collector.
 - (c) Shall be fastened to Decorative Poles.
 - (d) Shall be fastened at the top and bottom of the banner to a rigid support.
 - (e) Each Decorative Pole within the same development shall contain identical Ornamental Banners, in an identical configuration.
 - (f) Shall be oriented so that they are perpendicular to the adjoining Right-of-way.
 - (g) Minimum Distance between Decorative Poles: Fifty (50) feet.
 - (h) Maximum Height of Decorative Poles: Fifteen (15) feet.
 - (i) Minimum clearance of Ornamental Banner from the ground: Seven (7) feet.
- ix. Removal: None required.
- x. Maintenance:
 - (a) Ornamental Banners and Decorative Poles shall be maintained to look like new. Any Ornamental Banners or Decorative Pole that does not look like new, as determined by the Director, shall be replaced or removed.
 - (b) Any Ornamental Banners or Decorative Pole that has been determined to not look like new may be removed by the Director, or designee, at the cost of the Property owner of record.
- xi. Permit:
 - (a) A sign permit is required for all new Ornamental Banners and when there is a change in graphics (not including a change in color only) to the Ornamental Banner display.
 - (b) A sign permit is not required when performing routine maintenance of the Ornamental Banners or pole.
 - (c) A sign permit is not required when replacing Ornamental Banners that do not look like new with new, identical Ornamental Banners.

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FIGURE 6.17(B): ORNAMENTAL BANNERS

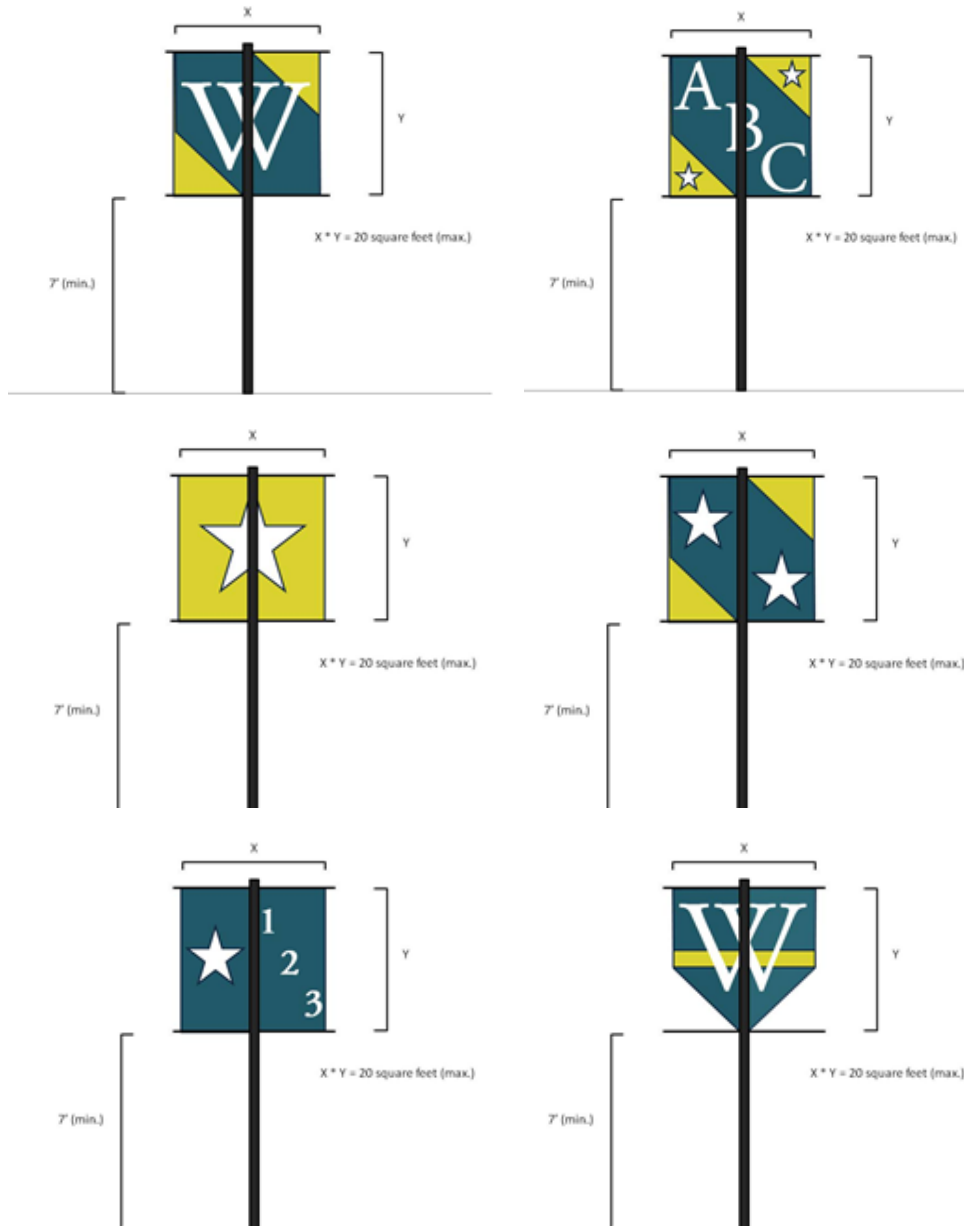


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6.18 Temporary Uses and Events

- A. **Purpose and Intent:** The purpose of this Article is to ensure that the public health, safety and general welfare of the community is protected within temporary uses and during temporary events.
- B. **Applicability:** All Temporary Uses, Events and Structures shall comply with this Article.
- C. **Permit:** Unless otherwise provided herein, Temporary Uses, Events and Structures shall require a Temporary Uses, Events and Structures permit as set forth in [Article 10.13 Temporary Use and Events Permits](#).
- D. **Exemptions:**
- Events hosted on an individual homeowner's property, including but not limited to garage sales, estate sales, private parties.
 - City sponsored events as approved by the Council.
 - Events held on public park property; however, [rules and policies](#) established by the City, as administered by the Parks and Recreation Department, shall apply.
 - Non-incorporated children's stands, such as a lemonade stand.
- E. **General Standards:**
- Parking requirements for the site at the time of development or if the parcel is vacant, present development standards; shall not substantially be impacted by the temporary event.
 - The Director may limit the location for traffic flow or public safety reasons.
 - All temporary structures must meet the setbacks as defined by this Ordinance for the Zoning District in which they are being installed.
 - A proposed temporary event or use shall be located on a Lot with a permitted Principle Building or on a vacant Lot when the minimum required setbacks for the Zoning District are met.
 - Temporary event/use shall be incidental to the principal permitted use or structure existing on the Lot or an abutting Lot. Holiday Tree and Temporary Greenhouse Sales are exempt from this standard.
 - Goods and display materials shall be stored inside either a permanent or temporary structure during non-event hours. Holiday Tree and Temporary Greenhouse Sales are exempt from this standard.
 - The temporary event shall not eliminate or negatively impact required parking for the underlying use. Additional parking may be required upon finding that the proposed temporary event/use increases the need for parking.
 - All equipment, materials, goods, poles, wires and other items associated with the event shall be removed from the premises within two (2) days of the conclusion of the temporary use or event.

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9. All temporary events shall conform to all State and County Health Department regulations and codes, including but not limited to [I.C. 16-42-5](#) and [410 IAC 7-24](#).
10. Any temporary events that require the assignment of additional police officers and/or Fire Department responders shall be responsible for the cost of said employees. Payments shall be made directly to the City's Police Department and/or Fire Department.

F. Tent Events:

1. All tent events shall meet the applicable standards under the General Standards section of this Article.
2. Tent events are allowed in non-Residential Districts and for non-residential uses in Residential Districts.
3. Tents must be located on the Lot of the primary business or on a vacant Lot adjoining that of the primary business.
4. Tents shall be subordinate in size to the Principal Building.
5. Temporary Signs shall be limited to two (2).
 - a. Signs shall not exceed twelve (12) square feet each.
 - b. Signs must be affixed to the temporary structure associated with the event.
 - c. No other signs shall be allowed.
 - d. Signs shall not be illuminated.
 - e. Signs shall otherwise comply with [Article 6.17 Sign Standards](#).
6. Tent events shall be an extension of, and not in addition to, the existing uses on site.
7. No sale displays outside the tent shall be allowed. All items or products shall be under a tent or inside the store after business hours.
8. Lighting shall be allowed inside the tent only.
9. Noise shall be kept to a level that is not audible from forty (40) feet or more away from the source or is at a level of ninety (90) decibels or less when measured six (6) feet from its source on a dB(A) meter.
10. Hours of operation shall not exceed the hours of the business.
11. Permitting:
 - a. Temporary Use/Event Permits are issued by the Department.
 - b. Tent events are allowed per parcel for up to thirty (30) days per permit with a sixty (60) day total per calendar year maximum.
 - c. Permits may be issued for consecutive days.
 - d. Applicants shall provide dates of events.
 - e. Inspections by the Department and the Fire Department are required. Tents shall meet Uniform Fire Code or International Fire Code standards (see also [Article 2.5 Building Code](#)).
12. Limited Exception: Temporary Use/Events conducted in accordance with all of the following standards shall not be required to obtain a

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Temporary Use/Event Permit; however, such Temporary Use/Event shall comply with the other standards of this Ordinance:

- a. Tent events lasting no more than three (3) days.
- b. The tent size does not exceed six hundred (600) square feet.
- c. The sale of any item, product, or service shall be prohibited.

G. Sidewalk Sales:

1. All sidewalk sales shall meet the applicable standards under the General Standards section of this Article.
2. All sidewalk sales must be located within ten (10) feet of the business's pedestrian entrance.
3. Such sales events shall not impede pedestrian traffic or force pedestrians into vehicle traffic lanes.
 - a. A five (5) foot pedestrian access area on the sidewalk shall be maintained at all times.
 - b. The pedestrian access area on the sidewalk shall not be interrupted or impeded with building, utility or landscaping elements such as but not limited to columns, supports, plantings or other such materials.
4. Tents are prohibited.
5. Such sales events shall be limited to one (1) week in duration and with a frequency of no more than once every six (6) calendar months.
6. No temporary use permit shall be required.

H. Temporary Greenhouse and Holiday Tree Sales: Shall meet the standards of all Federal, State and City Building Codes and Fire Codes outlined below.

1. All Temporary Greenhouse and Holiday Tree Sales must meet the applicable standards under the General Standards section of this Article.
2. Holiday Tree Lots and Temporary Greenhouse sale areas are restricted to three thousand eight hundred (3,800) square feet. With the permission of the Director, Holiday Tree Lots may be increased up to five thousand (5,000) square feet.
3. Temporary Greenhouse Sales and Holiday Tree Lots operations shall be conducted between the hours of 6:00 a.m. and 8:00 p.m.
4. Such sales are restricted to non-Residential Districts and permitted nonresidential uses in Residential Districts.
5. Bagged, bulk items must be stored within an adjacent permanent or temporary structure.
6. Signs shall be limited to two (2).
 - a. Signs shall not exceed twelve (12) square feet each.
 - b. Signs must be affixed to the temporary structure associated with the event.
 - c. No other signs shall be allowed.
 - d. Signs shall not be illuminated.
 - e. Signs shall otherwise comply with [Article 6.17 Sign Standards](#).

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7. Music shall be kept to a level that is not audible from forty (40) feet or more away from the source or is at a level of ninety (90) decibels or less when measured six (6) feet from its source on a dB(A) meter.
8. Permitting:
 - a. Temporary Use/Event Permits are issued by the Department.
 - b. Permit for these sales shall be valid for a maximum of sixty (60) consecutive calendar days.
 - c. Applicants must provide dates of sales.
 - d. A permit is required for each location of operation.
 - e. No more than two (2) permits shall be issued per Lot per calendar year.
 - f. Inspections by the Department and the Fire Department are required.
- I. **Firework Sales:** The temporary sale of legal fireworks shall only be permitted as set forth in the [Westfield Code of Ordinances; Chapter 17-40 et seq.](#), as amended.
- J. **Model Homes:** Model Homes shall be permitted in the Zoning Districts set forth in [Article 13.2 Use Table](#), and subject to the following standards:
 1. **General Regulations:** The Director shall approve a Temporary Use permit based on a finding that:
 - a. The Model Home will not detrimentally affect the health, welfare, safety, or morals of the neighborhood under construction.
 - b. The Model Home will have adequate access and off-street parking facilities will be provided in accordance with [Article 6.14 Parking and Loading Standards](#).
 - c. The Model Home will not utilize a public address system.
 - d. Flood lights and other lighting on the subject premises will be directed only upon those premises and comply with [Article 6.9 Lighting Standards](#).
 - e. All other required permits (e.g., Improvement Location Permit, Certificate of Occupancy), as may be required by local or State law, are issued prior to the commencement of the use.
 - f. Any proposed signage complies with [Article 6.17 Sign Standards](#).
 - g. Landscaping is installed on-site in accordance with [Article 6.8 Landscaping Standards](#), including enhanced landscaping as may be necessary to satisfy (a) above.
 - h. The improvements permitted otherwise comply with the other regulations of the applicable Zoning District.
 2. **Permit Duration:** The duration of a Temporary Use permit for a Model Home shall be fixed by the Director, for an initial term not to exceed twenty-four (24) months; however, the Director may extend the permit for increments of six (6) months.
- K. **Food Vendors and Food Vending:** Shall be regulated as set forth in the [Westfield Code of Ordinances; Chapter 17-61 et seq.](#), as amended.

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L. **Farm Stands:**

1. **Permitted Zoning Districts:** Farm Stands shall be permitted in the Zoning Districts set forth in [Article 13.2 Use Table](#).
2. **Duration and Display of Permits:** A Temporary Use permit may be issued for increments up to one (1) year. All licenses, certificates and permits from all government agencies shall be displayed on the stand.
3. **Location:** Farm Stands shall not be located within nor encroach upon:
 - a. A drainage easement.
 - b. A fire lane or maneuvering aisle.
 - c. A Right-of-way.
 - d. A parking space or spaces necessary to meet the minimum parking requirements of the other use(s) of the Lot.
 - e. Pedestrian or vehicular access or parking areas.
 - f. A vision clearance area as set forth in [Article 6.19 Vision Clearance Standards](#).
4. **Maximum Height:** The height of a Farm Stand, including all accessory equipment and signage, shall not exceed ten (10) feet.
5. **Additional Standards:**
 - a. Farm Stands shall not exceed two hundred (200) square feet in size.
 - b. Customer seating areas associated with Farm Stands shall be prohibited.
 - c. Signage in conjunction with a Farm Stand shall be: (i) attached to the Food Stand; (ii) may not exceed ten (10) square feet in area; and (iii) shall be reviewed and approved by the Director as part of the Temporary Use permit.
 - d. The use of sound amplifying equipment, lights or noisemakers, such as bells, horns or whistles, shall be prohibited.
 - e. Only one (1) Farm Stand shall be permitted per Lot.
6. **Removal:** Farm Stands shall be removed: (a) when not in use; (b) if a subsequent Temporary Use permit is not obtained or is denied; or (c) if the Farm Stand is deemed to be in violation of this Ordinance.

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6.19 Vision Clearance Standards

- A. **Vision Clearance:** No Sign, fence, wall, landscaping, Public Utility Installation or other Improvement which obstructs sight lines between three (3) and twelve (12) feet above a Street shall be permitted on a Corner Lot within the triangular area formed by the Right-of-way line and a line connecting points:
 1. Forty (40) feet from intersections of Collectors or Local Street.
 2. Seventy-five (75) feet from intersections of Expressways or Arterials.
 3. Ten (10) feet from intersections of Driveways or Alleys.
- B. **Rounded Property Corners:** In the case of rounded Lot Lines, the distances shall be measured from the point at which the Right-of-way lines would intersect if they were not to have been rounded at the corner.

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6.20 Wireless Communication Service Facilities

- A. **Applicability:** All Wireless Communication Service Facilities within the Jurisdiction of the Plan Commission shall be subject to this Article.
- B. **Permitted Zoning Districts:** Wireless Communication Service Facilities shall be permitted as set forth below and in [CHAPTER 13: USE TABLE](#).
1. In any Zoning District where the antennas are to be located upon pre-existing structures or buildings owned or operated by units of government or public utilities so long as the antennas and antenna support structures do not exceed the height of those structures or buildings by more than twenty (20) feet.
 2. In a non-Urban Area in any Zoning District. For purposes of this Article and as defined in [I.C. 36-7-4-1103](#), an urban area shall include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.
- C. **Applicability:** Wireless Communication Service Facilities shall be bound by the standards set forth in this Article as well as the applicable requirements of the Zoning District in which they are located, unless otherwise provided herein.
- D. **Procedural Standards:** All Wireless Communication Service Facilities shall meet the following requirements:
1. An Applicant for a Wireless Communication Service Facility must demonstrate that they have exhausted all efforts to locate the proposed facilities upon existing antenna support structures in the geographical area of the proposed Wireless Communication Service Facility, which shall include submitting a master plan for their Wireless Communication Service Facilities throughout the Planning Jurisdiction of the Plan Commission. The master plan should show efforts to minimize the size and number of antenna support structures throughout the geographical area, taking into consideration existing technology.
 2. The placement of antennas upon existing antenna support structures may be administratively approved by the Department with an application made pursuant to [Article 10.4 Certificate of Compliance](#).
 3. In the event an antenna support structure ceases to be used, then the antenna support structure shall be removed within one hundred eighty (180) days of termination of use.
 4. A Wireless Communication Service Facility may be deemed an Accessory Use in Zoning Districts in which a Wireless Communication Service Facility is listed as either a permitted use (see [CHAPTER 13: USE TABLE](#)) or a Special Exception (see [Article 10.11 Special Exceptions](#)).

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E. **Development Standards:** All Wireless Communication Service Facilities shall meet the following requirements:

1. The height of the antenna support structure shall not exceed two hundred (200) feet.
2. The antenna support structure shall be set back a minimum of forty (40) feet from the Lot Line, unless the adjoining Lot is zoned or used for a residential use. If the antenna support structure adjoins a Lot which is zoned or used for residential use, then the setback shall not be less than the height of the support structure.
3. Except as required by the Federal Aviation Administration or Federal Communications Commission, the antenna support structure shall not be illuminated by any artificial means and shall not display strobe lights.
4. No Signs or advertising shall be placed upon an antenna support structure and associated equipment buildings or structures.
5. The support structure and any antenna located on the support structure must be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment.
6. All utility buildings and structures accessory to the antenna support structure must be architecturally designed to blend into the surrounding area.
7. A Landscape Plan for the Wireless Communication Service Facility shall be submitted with the application and shall be substantially similar to landscaping required for other uses in Business or Industrial Districts.
8. All Wireless Communication Service Facilities shall be designed structurally, electrically, and in all other respects to accommodate the user's equipment and the equipment of at least two (2) additional service providers.
9. A qualified and licensed engineer must approve the design of the antenna support structure and certify that it is constructed to comply with the requirements set out in this Article.
10. All applications shall include a notarized letter of intent committing the antenna support structure owner or lessee on behalf of themselves and their successors in interest that the antenna support structure shall be shared with additional users if the additional user(s) agrees to meet reasonable terms and conditions of shared use.
11. No transmissions from a Wireless Communication Service Facility shall interfere with any existing public safety communications.

F. **Limitations on Zoning Authority:**

1. The Board of Zoning Appeals, in consideration of the Special Exception, shall not consider any evidence or base a denial of the location of a Wireless Communication Service Facility on any evidence concerning adverse environmental or health effects of radio frequency emissions

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so long as those emissions meet the standards of the Federal Aviation Administration or Federal Communications Commission.

2. Nothing herein shall be construed as a prohibition of the location of Wireless Communication Service Facilities within the Jurisdiction of the Plan Commission.
3. Nothing herein shall be construed or applied to unreasonably discriminate between providers of functionally equivalent service, or services which compete one against the other for various wireless communication services.

6.21 Yard Standards

- A. **Yard, Lot Area and Size of Building:** No building shall be erected, reconstructed or structurally altered in any manner which will encroach upon, or reduce in any manner, the Yards, Lot Area, Minimum Living Area, or Lot Coverage provisions established and specified for the use and the Zoning District or Overlay District in which such building is located.
- B. **Partial use of Alley for Yard:** One-half (0.5) of an Alley abutting the Rear or Side Yard may be included in the required Rear or Side Yard of a Lot, respectively, if the Alley has not been developed for the carrying of traffic; however, such Alley area shall not be included for loading and unloading berths.
- C. **Measurement of Required Yards:** The Yard width and depth shall be measured as the shortest horizontal distance (e.g., ninety degrees) from a Lot Line to the required Building Setback Line. In the case of a standard applying to an Established Yard, the Yard width and depth shall be measured as the shortest horizontal distance (e.g., ninety degrees) from a Lot Line to the nearest outside wall of a building or structure.
- D. **Use of Required Yards:** All required Yards shall be maintained as Open Space and landscaped with grass, trees, shrubs, or hedge, or in combination with other suitable Groundcover materials in compliance with [Article 6.8 Landscaping Standards](#), except as otherwise improved in accordance with this Ordinance (e.g., Parking Areas).
- E. **Corner Lots and Through Lots:** Corner Lots and Through Lots shall be deemed to have multiple Front Yards, one on each Street or Private Street the Lot abuts. Each Front Yard shall be subject to the Building Setback Lines set forth herein for Front Yards.



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6.22 Chapter Amendment Log

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CHAPTER 7: SUBDIVISION REGULATIONS

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7.1 Establishment of Controls

No plat or replat of a Subdivision of land or amendment, including plans or specifications and amendments thereto, or corrections to an already recorded plat (certificate of corrections, or certificate of error) located within the Jurisdiction of the Plan Commission shall be recorded until it shall have been approved in accordance with this Ordinance, and such approval shall have been entered in writing on the plat by the Director, or its designee. All corrections or amendments to an approved plat shall be cited as an addendum to and on said approved plat, including the copy in the Office of the Recorder of Hamilton County, Indiana. Subdivisions shall be permitted in all Zoning Districts.

7.2 Procedures

[Article 10.12 Subdivision](#) shall apply to all Subdivisions (e.g., Primary and Secondary Plats).

7.3 Principles and Standards of Design

- A. **General:** All Improvement Location Permits, Development Plans and Subdivisions shall conform to the principles and standards established by this Ordinance.
- B. **Construction Standards:** The [City of Westfield Utility and Infrastructure Construction Standards and Specifications](#) ("Construction Standards"), as published and maintained by the Westfield Public Works Department, are hereby incorporated, as amended, by cross-reference into this Ordinance. All Development Plans and Subdivisions shall conform to the Construction Standards, which include but are not limited to, standards for:
 1. Earthwork for Utilities
 2. Paving and Surfacing
 3. Erosion Control
 4. Principles and Standards of Roadway Design
 5. Minimum Standards of Improvement
 6. Stormwater Management
 7. Curbs and Gutters
 8. Storm Sewers
- C. **Subdivision Control Waivers:** The Plan Commission, in its discretion, may grant a waiver from standards required by [CHAPTER 8: DESIGN STANDARDS](#) of this Ordinance. Such waiver shall be entered into the minutes of the Plan Commission together with the reasoning for the departure from the required standards. As a condition of granting a waiver, a commitment may be made in accordance with [Article 10.6 Commitments](#). A waiver may only be granted upon finding that:

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1. The proposed development represents an innovative use of site design, site access design, site circulation design, building orientation, building materials, and landscaping which will enhance the use or value of area properties.
2. The proposed development will not be injurious to the public health, safety, morals or general welfare of the community.
3. The strict application of the Ordinance standard will result in a development of the real estate which is undesirable when compared with the proposed development.
4. The proposed development is consistent with and compatible with other development located in the area.
5. The proposed development is consistent with the intent and purpose of the Comprehensive Plan.

7.4 Plat Certificates and Deed of Dedication

The following forms shall be used:

A. **Plan Commission Certificate:**

Under authority provided by I.C. 36-7, enacted by the general assembly of the State of Indiana, and all acts amendatory thereto, and an ordinance adopted by the City Council of the City of Westfield, Hamilton County, Indiana, this plat was given approval by the Westfield-Washington Township Advisory Plan Commission, as follows:

Approved by the Director of the Economic and Community Development Department of the City of Westfield, Hamilton County, Indiana, pursuant to the Westfield-Washington Township Unified Development Ordinance, on the ____ day of _____, ____.

Westfield-Washington Township Plan Commission

By: _____

(Name), Director

Economic and Community Development Department

(SEAL)

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- B. **Board of Public Works and Safety Certificate:** The following certificate shall also be used if the plat lies wholly or partly within the City's corporate limits:

This plat and the acceptance of any public rights-of-way dedicated herein was given approval by the Board of Public Works and Safety of the City of Westfield, Indiana, at a meeting held on the ____ day of _____, _____.

(Name), Mayor

(Name), Member

(Name), Member

- C. **County Commissioner's Certificate:** The following certificate shall also be used if the plat lies wholly or partly outside of the City:

Under authority provided by I.C. 36-7 as amended by the General Assembly of the State of Indiana, this plat was given approval by the Board of County Commissioners of Hamilton County, Indiana, at a meeting held on the ____ day of _____, _____.

(Name)

(Name)

(Name)

(SEAL)

- D. **Registered Land Surveyor's Certificate:**

I _____, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana:

That this plat correctly represents a survey completed by me on _____, that all the monuments shown thereon actually exist or bond has been posted to cover the later installation of these monuments, and that all other requirements specified herein, done by me, have been met.

(Name)

(SEAL)

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E. **Engineer's Certificate:**

I, _____, hereby certify that I am a Registered Professional Engineer or Land Surveyor, as the case may be, licensed in compliance with the laws of the State of Indiana, and that I have inspected during their construction and installation all improvements and installations required for this subdivision, designated specifically as _____, and that such required improvements and installations have been made and installed in accordance with the specifications heretofore approved therefore.

(Name)

(SEAL)

F. **Deed of Dedication:** Each Secondary Plat submitted for approval shall carry a deed of dedication in substantially the following form:

We the undersigned owners of the real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.

This subdivision shall be known and designated as _____, an addition to _____, Indiana. All rights-of-way shown and not heretofore dedicated are hereby dedicated to the public.

Front and side yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure.

There are strips of ground shown on this plat and marked "easement", reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities.

[Additional easement certificates, dedications and protective covenants, or private restrictions would be inserted here upon the Applicant's initiative or the recommendations of the Plan Commission, Public Works Department; important provisions are those specifying the use to be made of the property, rights and authority of grantees, and, in the case of residential use, the minimum Living Area.]

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The foregoing covenants, or restrictions, are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, ____, (a 25 year period is suggested), at which time said covenants, or restrictions, shall be automatically extended for successive periods of ten years unless changed by vote of a majority of the then owners of the building sites covered by these covenants, or restrictions, in whole or in part. Invalidation of any of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Witnessed our hands and seals this _____ day of _____,
_____.

State of Indiana)
)
Hamilton County)

Before me the undersigned Notary Public, in and for the County and State, personally appeared _____, and each separately and severally acknowledge the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notary seal this _____ day of _____,
_____.

(SEAL)

- G. **Easement Certificate:** Each Secondary Plat submitted for approval shall include easement certificates, where appropriate and in accordance with [Article 8.3 Easement Standards](#).

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7.5 Chapter Amendment Log

Ordinance No.	Docket No.	Council Approved	Effective Date	Sections Affected



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8.1 Block Standards

- A. Blocks shall have sufficient width to provide for two (2) tiers of Lots of appropriate depth.
- B. The maximum length of a block in a single-family residential Subdivision shall not exceed one thousand two hundred and fifty (1,250) feet; except where an Internal Street or Frontage Road parallels an Expressway or Arterial.

8.2 [reserved for future use]

8.3 Easement Standards

- A. **Applicability:** This Article applies to all development.
- B. **General Easements:**
 1. **Drainage and Utility Easements:** All development submitted for approval under the provisions of this Ordinance shall allocate areas of suitable size and location, wherever necessary, for drainage and/or utility easements. All easements and corresponding utility location plans shall be complete and approved prior to the final approval of any plan. Easements for utilities shall have a minimum width of twenty (20) feet, and where located along Lot Lines, one-half (0.5) of the width shall be taken from each Lot. Before determining the location of easements the plan shall be discussed with the local public utility companies to assure proper placement and installation of such services.
 2. **Surface Drainage:** If any stream or necessary surface drainage course is located in the area to be developed, then an easement shall be established along all sides according to the County Surveyor or Indiana law if a legal drain or twenty (20) feet per side (measured from top of bank) if not a legal drain. The easement shall be allocated for the purpose of widening, deepening, sloping, improving or protecting said stream or surface drainage course.
- C. **Other Easements:**
 1. **Easement Instrument Specifications:** Where an easement is required by this Ordinance but the standards for the easement type are not specified, or an easement is required per a commitment or condition of approval, then the Property Owner ("grantor") shall execute the easement instrument in favor of the appropriate party or entity ("grantee"). Said instrument shall:
 - a. Specify the docket numbers of the petitions with which the easement is associated.
 - b. Specify those activities the grantee is authorized to perform in the easement.
 - c. Specify those activities the grantor is prohibited from performing in the easement.
 - d. Be binding on all heirs, successors, and assigns to the property on which the easement is located.

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- e. Be enforceable by the grantee and the City.
- f. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement.
- g. Provide for modification in the manner stipulated in this Ordinance.
- h. Be cross-referenced to the most recently recorded deed to the property on which the easement is to be established.
- i. Include a metes and bounds description of the easement.
- j. Be signed by a duly authorized representative of the property owner of record granting the easement and by a duly authorized representative of the grantee accepting the easement.

2. **Easement Certificate:**

- a. When a Secondary Plat is being recorded, the Applicant may forego a separate easement instrument in favor of printing an easement certificate on the Secondary Plat, the content of which has been approved by the Director or Public Works Department.
- b. If a Declaration of Covenants is included or cross-referenced on the Secondary Plat, then an easement certificate shall not be incorporated into the Declaration of Covenants, and shall be clearly separate from the Declaration of Covenants.

D. **Cross-access Easements:**

- 1. **Easement Instrument Specifications:** When required by this Ordinance, each Property Owner (“grantor”) shall execute a cross-access easement instrument in favor of the adjoining property owner (“grantee”). Said instrument shall:
 - a. Specify the docket numbers of the petitions and/or the project numbers of the permits with which the easement is associated.
 - b. Grant the public the right to utilize the easement for purposes of accessing adjoining Parking Areas.
 - c. Prohibit any person from parking vehicles within the easement.
 - d. Prohibit the Property Owners or any other person from placing any obstruction within the easement.
 - e. Be binding on all heirs, successors, and assigns to the properties on which the easement is located.
 - f. Be enforceable by each party to the easement and by the City.
 - g. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement.
 - h. Provide for modification or termination in the manner stipulated in this Ordinance.
 - i. Be cross-referenced to the most recently recorded deeds to the properties on which the easement is to be established.
 - j. Include a metes and bounds description of the easement.
 - k. Be signed by a duly authorized representative of each Property Owner granting the easement and by duly authorized representatives of each property owner accepting the easement.

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2. Cross-access Easement Certificate:

- a. When a Secondary Plat is being recorded, the Applicant may forego a separate easement instrument in favor of printing the following cross-access easement certificate on the plat:
 “There are shown on this instrument areas that are designated as ‘Cross-access Easement’ or abbreviated as ‘C-A.E.’ Such easements are hereby established in favor of the adjoining property owner (‘grantee’), and grant the public the right to enter the easement for purposes of accessing adjoining Parking Areas. These easements prohibit any person from parking vehicles within the easement, and prohibit the property owners or any other person from placing any obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the City may enforce the provisions of the easement. [] is also entitled to enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Westfield-Washington Township Unified Development Ordinance, or its successor ordinance.”
- b. The dedication and acceptance of easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication signed by the Property Owner, and a Certificate of Acceptance signed by the grantee or its agent.
- c. If a Declaration of Covenants is included on the Secondary Plat, then the cross-access easement certificate shall not be incorporated into the Declaration of Covenants, and shall be clearly separate from the Declaration of Covenants.

E. Private Street Easements:

1. Easement Instrument Specification: When required by this Ordinance, the Property Owner (“grantor”) shall execute a Private Street easement instrument in favor of the owner of the Lot (“grantee”) to which the private street provides access. Said instrument shall:
 - a. Specify the docket numbers of the petitions and/or the project numbers of the permits with which the easement is associated.
 - b. Grant the grantee the right to access the easement for purposes of accessing their Lot.
 - c. Specify the grantee’s financial responsibilities with respect to the alteration, repair, maintenance, and removal of the improvements.
 - d. Prohibit the grantee or any other person from placing any obstruction within the easement.
 - e. Require that the Private Street be built to the standards of the City.
 - f. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
 - g. Be enforceable by the grantee and the City.
 - h. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement.

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- i. Provide for modification or termination in the manner stipulated in this Ordinance.
 - j. Be cross-referenced to the most recently recorded deeds to the properties on which the easement is to be established.
 - k. Include a metes & bounds description of the easement.
 - l. Be signed by a duly authorized representative of each Property Owner granting the easement and by duly authorized representatives of each Property Owner accepting the easement.
 - m. Shall include the following language:
 “The Property Owner expressly covenants and warrants on behalf of itself and all future owners of lots within this subdivision that because the streets are private that all maintenance, repairs and replacement now and forever shall be undertaken at the expense of the lot owners in accordance with the terms and conditions set forth in the owners association bylaws and articles. No governmental entity has any duty or responsibility to maintain, repair or replace any private street.”
2. Private Street Easement Certificate:
- a. When a Secondary Plat is being recorded, the Applicant may forego a separate easement instrument in favor of printing the below easement certificate on the plat:
 “There are shown on this instrument areas that are designated as ‘Private Street Easement’ or abbreviated as ‘P.S.E.’ Such easements are hereby established in favor of the adjoining property owners (‘grantee’), and grant the grantee the right to enter the easement for purposes of accessing their lot. These easements prohibit the property owners or any other person from placing any obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the City may enforce the provisions of the easement. [] is also entitled to enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Westfield-Washington Township Unified Development Ordinance, or its successor ordinance.”
 - b. In addition, the Secondary Plat shall include the following language:
 “The subdivider expressly covenants and warrants on behalf of itself and all future owners of lots within this subdivision that because the streets are private that all maintenance, repairs and replacement now and forever shall be undertaken at the expense of the lot owners in accordance with the terms and conditions set forth in the owners association bylaws and articles. The subdivider, and their successors and assignees, hereby waive all rights to petition a governmental entity to be responsible for the maintenance and ownership of such private streets. No governmental entity has any duty or responsibility to maintain, repair or replace any private street.”

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- c. The dedication and acceptance of easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication signed by the Property Owner, and a Certificate of Acceptance signed by the grantee or its agent.
- d. If a Declaration of Covenants is included on the Secondary Plat, then the Private Street easement certificate shall not be incorporated into the Declaration of Covenants, and shall be clearly separate from the Declaration of Covenants.

F. Shared Driveway Easements:

1. Easement Instrument Specifications: When required by this Ordinance, each Property Owner (“grantor”) shall execute a shared driveway easement instrument in favor of the adjoining Property Owner (“grantee”). Said instrument shall:
 - a. Specify the docket numbers of the petitions and/or the project numbers of the permits with which the easement is associated.
 - b. Grant the adjoining property owners the right to access the easement for purposes of maneuvering vehicles.
 - c. Specify the adjoining Property Owners’ financial responsibilities with respect to the alteration, repair, maintenance, and removal of the improvements.
 - d. Prohibit the Property Owner or any other person from placing any obstruction within the easement.
 - e. Be binding on all heirs, successors, and assigns to the properties on which the easement is located.
 - f. Be enforceable by the parties to the easement and the City.
 - g. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement.
 - h. Provide for modification or termination in the manner stipulated in this Ordinance.
 - i. Be cross-referenced to the most recently recorded deeds to the properties on which the easement is to be established.
 - j. Include a metes and bounds description of the easement.
 - k. Be signed by a duly authorized representative of each Property Owner of record granting the easement and by duly authorized representatives of each Property Owner accepting the easement.
2. Shared Driveway Easement Certificate:
 - a. When a Secondary Plat is being recorded, the Applicant may forego a separate easement instrument in favor of printing the following shared driveway easement certification the plan:
 “There are shown on this instrument areas that are designated as ‘Shared Driveway Easement’ or abbreviated as ‘S.D.E.’ Such easements are hereby established in favor of the adjoining property owners (‘grantee’), and grant the grantee the right to enter the easement for purposes of maneuvering vehicles. The easement prohibits the property owners or any other person from placing any

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obstruction within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the City may enforce the provisions of the easement. [] is also entitled to enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Westfield-Washington Township Unified Development Ordinance, or its successor ordinance.”

- b. The dedication and acceptance of easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication signed by the Property Owner, and a Certificate of Acceptance signed by the grantee or its agent.
- c. If a Declaration of Covenants is included on the Secondary Plat, then the shared driveway easement certificate shall not be incorporated into the Declaration of Covenants, and shall be clearly separate from the Declaration of Covenants.

G. Subdivision Sign Easements:

1. Easement Instrument Specification: When required by this Ordinance, the Property Owner (“grantor”) shall execute a subdivision sign easement instrument in favor of the subdivision’s homeowners’ association (“grantee”). Said instrument shall:
 - a. Specify the docket numbers of the petitions and/or the project numbers of the permits with which the easement is associated.
 - b. Grant the grantee the right to alter, repair, maintain, or remove the improvements.
 - c. Prohibit the Property Owner or any other person from placing any obstruction in front of, altering, removing, or otherwise impairing the improvements within the easement.
 - d. Be binding on all heirs, successors, and assigns to the property on which the easement is located.
 - e. Be enforceable by the grantee and the City.
 - f. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement.
 - g. Provide for modification or termination of the easement in the manner stipulated in this Ordinance.
 - h. Be cross-referenced to the most recently recorded deed to the property on which the easement is to be established.
 - i. Include a metes and bounds description of the easement.
 - j. Be signed by a duly authorized representative of the Property Owner granting the easement and by duly authorized representatives of the grantee accepting the easement.
2. Conflict: Subdivision sign easements shall be exclusive of drainage and utility easements and improvements within such an easement shall comply with [Article 6.19 Vision Clearance Standards](#).

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3. Subdivision Sign Easement Certificate:

- a. When a Secondary Plat is being recorded, the Applicant may forego a separate easement instrument in favor of printing the following subdivision sign easement certificate on the plat:

“There are shown on this instrument areas that are designated as ‘Subdivision Sign Easement’ or abbreviated as [____]. Such easements are hereby established in favor of the [____] Homeowners’ Association (‘grantee’), and grant the grantee the right to enter the easement for purposes of altering, repairing, maintaining, or removing the improvements. These easements prohibit the property owner or any other person from placing any obstruction in front of, altering, removing, or otherwise impairing the improvements within the easement. These easements are binding on all heirs, successors, and assigns to the property on which they are located. The grantee or the City may enforce the provisions of the easement. [____] is also entitled to enforce the provisions of the easement. The easement shall only be modified or vacated in the manner stipulated in the Westfield-Washington Township Unified Development Ordinance, or its successor ordinance.”

- b. The dedication and acceptance of easements shown on a recordable instrument shall be accomplished via a Certificate of Dedication signed by the Property Owner, and a Certificate of Acceptance signed by the grantee or its agent.
- c. If a Declaration of Covenants is included on the Secondary Plat, then the subdivision sign easement certificate shall not be incorporated into the Declaration of Covenants, and shall be clearly separate from the Declaration of Covenants.

8.4 [reserved for future use]

8.5 Monument and Marker Standards

A. General Standards:

1. All monument and marker improvements shall be installed per Indiana Administrative Code, [865 IAC 1-12-18](#), and the standards set forth herein.
2. Permanent reference monuments shall be placed so that the center of the pipe or marked point shall coincide exactly with the intersection of lines to be marked, and shall be set so that the top of the monument or marker is level with the finished grade.
3. Required monuments and markers shall include a surveyor’s cap as required by Indiana law, and at a minimum shall include a substantial plastic or metal cap permanently affixed showing the registered professional surveyor’s surname and professional license number or firm/agency identification number.
4. Upon completion of the development, as-built drawings shall be submitted showing where monuments and markers were placed. This

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shall be accompanied by an affidavit by the surveyor, registered in the State of Indiana, attesting to the accuracy of installed monuments and markers and certifying that the monuments and markers are still accurately in place, and were not removed, moved, or buried such that they do not accurately denote surveyed lines or cannot be easily located.

5. Monuments which are damaged or altered shall be reset by the party responsible for damage/alteration. If a responsible party cannot be readily determined, then the active developer or
- B. **Monument Standard:** Monuments shall be of stone, pre-cast concrete, or concrete poured in place with minimum dimensions of four (4) inches by four (4) inches by thirty (30) inches, set vertically in place. They shall be marked on top with an iron or copper dowel set flush with the top of the monument or deeply scored on top with a cross.
- C. **Monument Locations:** Monuments shall be set:
1. At the intersection of lines forming angles in the boundary of the Subdivision.
 2. At least two (2) monuments shall be set on each side of a straight section of a Street and on Lot corners near each end of the Street.
 3. At least two (2) monuments shall be set on any straight line over four hundred (400) feet in length and on Lot corners near each end of the line.
 4. Any location a bearing changes.
- D. **Marker Standard:** Markers shall consist of iron pipes or steel bars at least thirty (30) inches long, and not less than five-eighths (5/8) inch in diameter.
- E. **Marker Locations:** Marker shall be set on boundaries not covered by required monument locations, including:
1. At the beginning and ending of all curves along Street Lot Lines.
 2. At all points where Lot Lines intersect curves, either front or rear.
 3. At all angles in Lot Lines.
 4. At all other Lot corners not established by a monument.

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8.6 Open Space and Amenity Standards

- A. **Applicability:** This Article shall apply to all residential Development Plans and Primary and Secondary Plats. All residential developments shall set aside Open Space in accordance with this Article.
- B. **Minimum Open Space:**
1. **Minimum:** The minimum Open Space required for each development, as a percentage of its Gross Acreage, shall be as set forth below:

Chart: Minimum Open Space

Zoning District	Minimum Open Space Required
SF1	5%
SF2	8%
SF3	12%
SF4	15%
SF5	15%
SFA	35%
MF1	20%
MF2	20%

2. **Exemption:** Residential developments with a gross density of 0.33 Dwelling Units per acre or less shall be exempt from providing Open Space under this Article.
 3. **Plantings:** Open Space shall be supplemented with tree plantings in accordance with the Minimum Lot Landscaping requirements of [Article 6.8 Landscaping Standards](#).
- C. **Access:** A public way, crosswalk or easement not less than fifteen (15) feet in width shall be provided for access to required Open Space.
- D. **Connectivity:** Open Space, where applicable, shall be placed adjacent to or connected to existing or proposed Open Space located within the development and/or on adjoining properties. Open Space should be located within reasonable walking distance to those uses it serves, with the exception of preservation of existing features.
- E. **Open Space Ownership:** The ownership of Open Space, Common Areas, Development Amenities, how it will be protected from future development, and responsibility for future maintenance (e.g., homeowners' association) shall be documented and recorded.
- F. **Open Space and Development Amenity Improvements:**
1. **Requirement:** Required Open Space and Development Amenity improvements (e.g., fencing, walls, mounds, paths, playgrounds, amenities) shall be improved in accordance with an approved Development Plan and shall require a Certificate of Compliance (see also [Article 10.4 Certificate of Compliance](#)).

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2. **Approval:** Open Space and Development Amenity areas shall be identified on the development's Overall Development Plan, in accordance with [Article 10.7 Development Plan Review](#). Open Space and Development Amenity improvements shall require approval a Detailed Development Plan, which shall be reviewed and approved by the Department as part of an Improvement Location Permit (see also [Article 10.8 Improvement Location Permit](#)) or a Certificate of Compliance (see also [Article 10.4 Certificate of Compliance](#)), if an Improvement Location Permit is not otherwise required for the proposed improvements.
3. **Timing of Installation:** Open Space and Development Amenity improvements shall be installed prior to the issuance of a subsequent Building Permit for more than fifty percent (50%) of the Lots within the Secondary Plat section in which the Common Area, Open Space or Development Amenity is located, or within twelve (12) months from when the first Building Permit in the Secondary Plat section was issued, whichever occurs first.

G. Qualifying Site Features:

1. A maximum of fifty percent (50%) of required Open Space may come from: wetlands, third party regulated utility easements, legal drains and equivalent land, as determined by the Plan Commission or Director.
2. Detention and Retention Areas may only qualify as Open Space if they comply with [Article 6.8 Landscaping Standards](#) and if such areas are located and designed for the use and benefit of the public as an amenity to the development.
3. Required Buffer Yards, External Street Frontage landscaping areas, and tree preservation areas, as set forth in [Article 6.8 Landscaping Standards](#), may qualify towards required Open Space if placed within common areas or recorded preservation or conservation easements.

H. Multi-Family Districts: Multi-family Districts shall be provided with development amenities in accordance with this section.

1. **Minimum Number of Amenities:** The number of amenities required shall be proportional to the size of the development as follows:

CHART: MF DISTRICT AMENITY REQUIREMENTS

Number of Dwelling Units	Minimum Number of Amenities Required
1 to 60	2
61 to 90	3
91 to 120	4
121 to 150	5

2. **Qualifying Amenities:** Each type of amenity shall count as one (1) amenity, regardless of the quantity of the amenity that is provided (e.g., if two basketball courts are provided, then collectively the courts shall count only as one amenity). Qualifying amenities may include, but is

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not limited to: clubhouses, gymnasiums, swimming pools, tennis courts, basketball courts, ball-fields (soccer, baseball, etc.), walking/jogging/biking trails, volleyball courts, and racquetball courts. Picnic/barbecue areas and playgrounds are permitted as amenities in accordance with the following standards, or as otherwise approved the Plan Commission or Director:

- a. One picnic/barbecue area (that shall include at least one barbecue grill and one picnic table) per 50 Dwelling Units; and
- b. One large playground at least 5,000 square feet in area per 150 Dwelling Units. The square feet required is of the total play area, including safe fall zones. Play equipment should include a variety of elements within a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:
 - i. Six (6) swings
 - ii. Three (3) detached/freestanding play elements
 - iii. Three (3) sliding elements
 - iv. Six (6) climbing elements
 - v. One (1) overhead element
 - vi. Panels featuring play elements
 - vii. Decks, bridges, tunnels as required to attach various play elements to each other.
- c. One small playground at least 2,000 square feet in area per 50 Dwelling Units. The square feet required is of the total play area, including safe fall zones. Play equipment should include a variety of elements with a designated area mulched with ADA and CPSC approved safety surfacing. The play elements shall include at least the following numbers and types:
 - i. Three (3) detached/freestanding play elements
 - ii. Three (3) sliding elements
 - iii. Three (3) climbing elements
 - iv. One (1) overhead element
 - v. Panels featuring play elements
 - vi. Decks, bridges, tunnels as required to attach various play elements to each other.
- d. All play area surfacing must comply with Americans with Disabilities Act and Consumer Product Safety Commission requirements for fall heights and accessibility.

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8.7 Pedestrian Network Standards

- A. **Applicability:** All developments shall integrate an interior and exterior pedestrian network comprised of sidewalks or asphalt paths for pedestrian transportation and recreation, which shall be depicted on the Development Plan or Primary and Secondary Plats.
- B. **General Standards:**

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1. All concrete sidewalk, asphalt path, and crosswalk improvements shall be constructed per the City's Construction Standards (see [Article 7.3 Principles and Standards of Design](#)) and comply with requirements of the [Americans with Disabilities Act \(ADA\)](#), as amended.
2. Curb ramps for handicapped accessibility shall be provided at all intersections of Streets, Alleys, and drives and comply with ADA requirements.
3. When a sidewalk, pedestrian path, jogging path, and/or bicycle way crosses a Street intersection with an Arterial within or adjacent to a development, then safety devices (i.e. painted crosswalks, signs, or other traffic control devices) shall be installed at the Developer's expense as deemed appropriate by the Public Works Department. The Director or Plan Commission may require crosswalks to be marked at other intersections or pedestrian-crossing points as may be deemed appropriate. All traffic control devices shall comply with guidelines and requirements of the current edition of the [Indiana Manual on Uniform Traffic Control Devices](#).

C. Internal Pedestrian Network Standards:

1. The minimum sidewalk width shall be as indicated in the Thoroughfare Plan or five (5) feet (six (6) feet if immediately abutting the curb), whichever is greater.
2. Sidewalks shall be required on both sides of internal Streets and internal Private Streets in all developments.
3. When a proposed development lies between or adjacent to existing developments which have been provided with sidewalks, connecting sidewalks or pathways (which are extensions of the existing sidewalks) shall be constructed.
4. Connector sidewalks shall be provided from the sidewalk or path adjacent to the Street to the front entrance of all non-residential structures. Where the sidewalk intersects driving lanes or parking aisles within the Parking Area, then crosswalks and ramps shall be installed in accordance with ADA requirements and such areas shall be delineated (e.g., pavers, stamped, bricked), as determined by the Plan Commission or Director, to reinforce pedestrian safety.

D. Perimeter/External Pedestrian Network Standards: All developments shall participate in the establishment or improvement to the pedestrian network along Streets adjacent to its perimeter in accordance with the following:

1. Where a proposed Development Plan or Subdivision abuts an existing Right-of-way, then pedestrian paths, jogging paths, and bicycle paths shall be provided along the perimeter Street(s) or Private Street(s) in accordance with the Thoroughfare Plan. The type of pedestrian facility required shall be as set forth in the Thoroughfare Plan.
2. Generally, all required pedestrian facility improvements shall be located

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within the Right-of-way. Required improvements located outside of the Right-of-way shall be located within an easement approved by the Director or Public Works Department.

3. The Plan Commission or Director may require Developers, at their expense, to construct off-site pedestrian facilities adjacent to the proposed development to respond to the proposed development's impact and infrastructure demands.

8.8 Storm Water Standards

All proposed development shall provide for the collection and management of all storm and surface water drainage in accordance with the City's Construction Standards (see [Article 7.3 Principles and Standards of Design](#)).

8.9 Street and Right-of-Way Standards

- A. **Applicability:** All proposed development shall allocate adequate areas for new streets in conformity with [Article 7.3 Principles and Standards of Design](#) and the Thoroughfare Plan.
- B. **Thoroughfare Plan:** The [Westfield Thoroughfare Plan](#), a part of the Comprehensive Plan, as amended, (the "Thoroughfare Plan") is hereby declared to be a part of this Ordinance. The Thoroughfare Plan shall be available for review in the office of the Clerk/Treasurer and in the office of the Department.
- C. **Compliance with Thoroughfare Plan:** In addition to meeting requirements of the Americans with Disabilities Act (ADA), all development that adjoins, includes, is served by or affects Streets or alternative transportation corridors bearing a designation on the Thoroughfare Plan shall conform to the requirements of the Thoroughfare Plan in regard to:
 - a. The dedication of Rights-of-way;
 - b. Building Setback Lines; and
 - c. Any other affected development or design standards set forth in the Thoroughfare Plan or this Ordinance.
- D. **Dedication of Right-of-way:** In developments that adjoin or include existing Streets that do not conform to the minimum Right-of-way dimensions established in the Thoroughfare Plan, the Developer shall dedicate additional width along either one or both sides of such Streets sufficient to meet the requirements of the Thoroughfare Plan. If the Developer only controls the property on one (1) side of the Street, then sufficient Right-of-way shall be dedicated to bring the half Right-of-way up to the dimensions required in the Thoroughfare Plan.
 1. **Passing Blister:** Where a passing blister is required and inadequate Right-of-way exists to install the passing blister, then the Developer shall make a good faith effort to acquire property sufficient for the installation of the passing blister. If the Property Owner on which the passing blister is to be installed refuses to sell the property, then the Developer shall provide the Department copies of all surveys, appraisals, written offers

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made by the Developer to the Property Owner, and correspondence from the Property Owner.

2. Acceleration and Deceleration Lanes: Where an acceleration lane and/or deceleration lane is required and the Developer does not control street frontage adequate to install the lane, then the Developer shall make a good faith effort to acquire property sufficient for the installation of the acceleration lane and/or deceleration lane. If the Property Owner on which the acceleration lane and/or a deceleration lane is to be installed refuses to sell the property, then the Developer shall provide the Department copies of all surveys, appraisals, written offers made by the Developer to the Property Owner, and correspondence from the Property Owner.
3. Eminent Domain: Whereas the installation of passing blisters, acceleration lanes, and deceleration lanes is vital to the health, safety, and welfare of the motoring public, the City may begin eminent domain proceedings in accordance with [IC 32-24: Eminent Domain](#) for the acquisition of public right-of-way sufficient for the installation of the passing blister, acceleration lane, and/or deceleration lane upon receipt of the aforementioned documentation illustrating the Developer's failure to acquire the needed property. Upon completion of the eminent domain proceedings, the Developer shall reimburse the City in an amount equal to the price paid by the City for the public Right-of-way and associated professional and legal expenses, anything that had to be condemned within the acquired Right-of-way, and anything for which the City paid the price of relocation.
4. Installation of Improvements: The Developer shall then install the passing blister, acceleration lane, and/or deceleration lane in accordance with the City's Construction Standards (see [Article 7.3 Principles and Standards of Design](#)).

E. Private Streets:

1. Standards: Private Streets are permitted, but shall conform to the Street and Right-of-way standards of this Ordinance and shall be constructed in accordance with the City's Construction Standards.
2. Private Street Easements: Private Streets shall be established in access easements that may be placed in common area, rather than Rights-of-way, that comply with [Article 8.3 Easement Standards](#).
3. Platted Private Streets: When a Private Street easement appears on a Secondary Plat, then a Private Streets certificate (see [Article 8.3 Easement Standards](#)) shall be printed on the plan or plat. Unplatted easements for Private Streets shall have the same language included on the recorded easement instrument.
4. Financial Sureties: Shall be required in accordance with [Article 8.12 Surety Standards](#) and the City's Construction Standards.
5. Usage: When the term Right-of-way is used in this Article, it shall also

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apply to private street easements in the context of this Article only.

F. **Design Principles:**

1. **General Street Layout:** Street and Alley layout shall provide access to all Lots and parcels of land within a development, and where Streets cross other Streets, jogs shall not be created. Streets shall be laid out on the parent tract:
 - a. In a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community.
 - b. In an orderly and logical manner.
 - c. With concern for connectivity to adjacent parcels.
 - d. With concern for pedestrian and vehicular safety.
 - e. To provide reasonably direct access to the primary circulation system.
2. **Regard to Contour and Natural Features:** Streets shall be adjusted to the contour of the land so as to produce useable Lots and streets of reasonable gradient. Consideration shall be given to all natural features, such as existing stands of trees, streams and creeks, historic locations, or similar conditions which, if preserved, will add attractiveness and value to the community.
3. **Connectivity:** Streets shall align and connect with existing or planned streets and provide for connections with adjacent property. Proposed streets, where appropriate, shall be extended to the boundary line of the tract to be developed so as to provide for normal circulation of traffic within the vicinity. Regard shall be given to the Thoroughfare Plan and Comprehensive Plan. Cul-de-sacs are discouraged and shall only be permitted where such street continuation is prevented due to topography or other physical condition, or unless such extension is found by the Plan Commission to be unnecessary for the coordination of development within the development or between the development and adjoining property.

G. **Improvement Standards:** Streets shall conform to the following standards of improvement:

1. **Street and Right-of-way Widths:** Widths of Streets and minimum Right-of-way widths shall conform to the Thoroughfare Plan and [Article 7.3 Principles and Standards of Design](#).
2. **Construction:** All Street improvements, public or private, shall be designed, constructed and installed in accordance with [Article 7.3 Principles and Standards of Design](#).
 - a. Streets and Alleys shall be completed as shown on approved plans, profiles and cross-sections provided by the Developer, and prepared by a qualified engineer or surveyor.
 - b. Streets shall be graded, surfaced and improved to the dimensions required by the cross-sections and the work shall be performed in the manner prescribed in the Indiana Department of Transportation's "Standard Specifications".



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- c. Where parkways or special types of Streets are involved, the Plan Commission may apply special standards to be followed in their design.
3. Cul-de-sac Design: Where a street does not extend beyond the boundary of the development and its continuation is not required, as set forth herein, for access to adjoining property, its terminus shall comply with the following:
 - a. Maximum Length: 300 feet, measured along the centerline from the intersection at origin to the center of the circle. Where a cul-de-sac extends from another cul-de-sac or dead-end street, the total maximum length of both streets shall not exceed this maximum.
 - b. Terminus Design: Shall be nearly circular shape with a minimum Right-of-way diameter of one hundred (100) feet for streets abutting Single-family Zoning Districts and one hundred twenty (120) feet for Streets abutting all other Zoning Districts.
 - c. Drainage Easement: A drainage easement shall be provided near the center perimeter of the cul-de-sac, opposite of the cul-de-sac entrance. The easement shall be a minimum of twenty (20) feet wide and ten (10) feet deep. The easement and Right-of-way adjacent to the easement shall be free of improvements (e.g., driveways, mailboxes, fire hydrants, landscaping and Public Utility Installations), unless otherwise approved by the Public Works Department, in order to accommodate snow removal maintenance of the cul-de-sac.
 - d. Dead-end Streets: A temporarily dead-ended Street shall be permitted in a case in which a Street is proposed to be and should logically be extended but is not yet constructed. An adequate easement or Right-of-way for a turn-around shall be provided for any such temporary dead-end street which extends one hundred and fifty (150) feet or more in length. If an easement, then such easement shall be automatically vacated to abutting Property Owners when the street is legally extended.
 - e. Pedestrian Connection: The Plan Commission or Director may require a pathway or sidewalk to connect one cul-de-sac to an adjacent cul-de-sac or Street to provide reasonably direct connection between likely pedestrian destinations. Such connection shall be constructed in accordance with [Article 8.7 Pedestrian Network Standards](#) and located within an easement or common area.
4. Alleys: Alleys shall have a minimum Right-of-way width of twenty (20) feet. Alleys shall be discouraged in Residential Districts but may be included in commercial and industrial areas where needed for loading, unloading, or access purposes. Alleys shall be paved full width in accordance with the City's Construction Standards for a Local Street, unless otherwise approved by the Public Works Department.
5. Intersections:

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- a. All Streets should intersect at ninety (90) degree angles for a minimum distance of one hundred (100) feet measured from the intersection of Right-of-way lines. In no instance shall they intersect at less than eighty (80) degree angles onto Expressways, Arterials, or Collectors; or less than seventy (70) degree angles onto Local Streets.
 - b. Lot Line corners shall be rounded by arcs with radii of not less than fifteen (15) feet, or by chords of such arcs, at street intersections.
 - c. If the smaller angle of the intersection of two (2) streets is less than sixty (60) degrees, then the radius of the arc at the intersection of Lot Lines shall be increased as deemed appropriate by the Public Works Department.
 - d. Intersections of more than two (2) streets at one (1) point shall not be permitted.
 - e. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall not be permitted.
 - f. No driveway shall be located within seventy-five (75) feet of the intersection of two (2) street lines.
6. Access Points: The following standards shall apply; however, the Plan Commission, Council, or Public Works Department may otherwise approve access points if deemed appropriate to improve traffic circulation in the area or due to the size of the development:
- a. Only one (1) street, driveway or point of vehicle access shall be permitted from a development onto an Arterial or Collector.
 - b. The primary access for a multi-family development shall be from an Arterial, if available, and at least two (2) access points shall be provided for adequate accessibility for emergency vehicles and school busses.
 - c. Developments shall not be designed to permit direct access by a driveway to any Arterial or Collector, unless such design accommodates the Lot's only means of access.
7. Curved Streets:
- a. Horizontal visibility on curved streets and vertical visibility on all streets must be maintained along the center lines as follows:
 - i. Arterials: 500 feet
 - ii. Collectors: 300 feet
 - iii. Local Streets: 150 feet
 - b. Curvature measured along the center line shall have a minimum radius as follows:
 - i. Arterials: 500 feet
 - ii. Collectors: 300 feet
 - iii. Local Streets: 150 feet
 - c. Between reversed curves on Arterials there shall be a tangent of not less than one hundred (100) feet; on Collector and Local Roads such tangent shall be not less than forty (40) feet.
8. Street Grades: Maximum grades for streets shall be as follows:

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- a. Arterials: 6%
 - b. Collectors and Local Streets: 10%
 - c. Minimum Grade of Street Gutter: 0.3%
- 9. **Traffic Control Devices:** All traffic control devices shall comply with guidelines and requirements of the current edition of the [Indiana Manual on Uniform Traffic Control Devices](#).
- 10. **Subsurface Drainage:** Prior to placing street surfaces, adequate subsurface drainage for Streets shall be provided by the Developer. Subsurface drainage pipe, when required, shall be as described by the current edition of INDOT standard specifications and as approved by the Plan Commission. Upon completion of street improvements, plans and profiles as built shall be filed with the Plan Commission and the proper governing body of the City or County.
- H. **Delay of Surface Layer:** A Developer may request permission from the Plan Commission to delay the installation of the one (1) inch surface layer of asphalt until the binder layer of asphalt has had sufficient time to prove its durability under the stress of heavy construction traffic, but this delay shall not exceed one (1) year. The Developer shall be required to submit a separate performance bond to cover the cost of the installation of the one (1) inch surface layer of asphalt.
- I. **Fire Hydrants:** The Developer shall provide the development with fire hydrants. The types of hydrants and location of hydrants shall be determined by the Fire Department.
- J. **Acceptance of Improvements:**
 - 1. Before any financial surety (see also [Article 8.12 Surety Standards](#)) covering a Street installation is released, the Plan Commission, Council, or Director may request that core borings (asphalt or concrete) of the Street be provided to the Public Works Department or the County Highway Department, or their designated representative(s), at the Developer's expense, for thickness determination.
 - 2. Prior to the acceptance of asphalt Streets, the Developer shall employ and pay for the services of an independent testing laboratory to take cores at selected locations and perform Marshall stability, flow and density test, and percent of compaction determination on completed asphalt work.
 - 3. Prior to acceptance of concrete Street, the Developer shall provide satisfactory test results from an independent testing laboratory to the Public Works Department or the County Highway Department.
- K. **Rail Corridors:** The following regulations affecting the Alternative Transportation Plan, as incorporated into the Thoroughfare Plan, shall apply to all property that abuts a railroad property line, current or former ("Rail Corridor"):
 - 1. The railroad property lines used for plats shall be those boundaries in place as of January 2001, according to County mapping records.

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2. The Department will work with owners of property adjacent to a Rail Corridor should any question of development arise. Any new development proposal that is adjacent to a Rail Corridor and requires an Improvement Location Permit or Development Plan Review shall be brought to the attention of the Director, who will address this section with the Applicant. The Director shall then inform the Director of the Parks Department and Mayor, as appropriate, of said development.
3. For any activity that would require an Improvement Location Permit, the Department shall work together with owners of property adjacent to a Rail Corridor regarding setback, landscaping and any other development standards deemed appropriate for the future development of the alternative transportation system and for the Property Owner. For new development proposals adjacent to a Rail Corridor that require an Improvement Location Permit or Development Plan Review, the Director will work with the Applicant to determine how the Rail Corridor will be used regarding setback, landscaping and any other development standards deemed appropriate by the Director.
4. The City will work with any Rail Corridor Property Owner that can show best title as determined by a court of law with the intent of protecting the Rail Corridor right-of-way for the use as presented in the Alternative Transportation Plan in a way that is beneficial to all.
5. Any agreement shall be approved by the Council and incorporated into the City's plan approval process.

8.10 Street Light Standards

- A. **General:** The Developer shall install, or cause to be installed, street lights at all intersections, development entrances, and along internal Streets as required by the provisions of this Article. The Plan Commission may direct street lights at other locations if in its discretion it determines is necessary to provide vehicular or pedestrian safety.
- B. **Street Lights at Intersections:** The Developer shall propose a lighting design that provides the minimum amount of light necessary for vehicular and pedestrian safety at all intersections within the development, consistent with the City's Construction Standards (see [Article 7.3 Principles and Standards of Design](#)). The Public Works Department may reduce the number of intersections required to have street lighting. Under no circumstances shall the major intersections (involving Collectors or Arterials) within the development be waived.
- C. **Lighting between Intersections:** Unless street lights have been provided at the lesser of either mid-Block or every fifteen (15) lots, a dusk-to-dawn light that operates on a photo cell shall be installed on each home site. This lighting shall be provided by the Developer and maintained by the Property Owner in perpetuity.

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- D. **Street Lights at Entrances:** If the City has established a street light standard along the Street on which the entrance is located, then the Developer shall install the same lighting standard. If there is no established street light standard along the corridor, then the Developer shall propose a lighting design that provides the minimum amount of light necessary for vehicular and pedestrian safety. Luminaires shall be shielded to prevent glare on residential properties.
- E. **Alternative Standard:** Decorative street lights may differ from the City's Construction Standards if approved by the Public Works Department. Decorative street lights shall be installed at the expense of the Developer and maintained by the Property Owners' Association. An agreement between the City and the Property Owner's association shall be required establishing that the Property Owner's Association is responsible for replacing the decorative street lights and poles when the original street lights installed are lost or damaged; otherwise, such street lights may not be replaced or be replaced with a street light consistent with the City's Construction Standards.

8.11 Street Sign Standards

- A. **General:** Streets shall have minimum number of street signs necessary to: (i) provide a safe environment for drivers and pedestrians; and (ii) provide an information system so visitor can efficiently find a certain street, address, or development amenity.
- B. **Location:** The Developer shall install a minimum of one (1) street name sign at each street intersection within the development indicating the name of each street thereat and on all perimeter intersections prior to the issuance of any Building Permit within the development section. At least one (1) sign shall be set on the most conspicuous corner of the intersections.
- C. **Sign Specifications:** Street signs shall comply with the current edition of the [Indiana Manual on Uniform Traffic Control Devices](#) and the City's Construction Standards (see [Article 7.3 Principles and Standards of Design](#)). Street name signs shall be lighted or reflectorized.
- D. **Applicant's Responsibilities:** The Applicant shall be required to install street name and regulatory signs prior to any street being opened to the public. Signs shall be installed in the location and to the height determined by the Public Works Department and the City's Construction Standards.
- E. **Alternative Standard:** Decorative street signs may differ from the City's Construction Standards if approved by the Public Works Department. Decorative street signs shall be installed at the expense of the Developer and maintained by the Property Owners' Association. An agreement between the City and the Property Owner's association shall be required establishing that the Property Owner's Association is responsible for replacing the decorative street signs and poles when the original signs installed are lost or damaged; otherwise, such signs may be replaced with a street sign consistent with the City's Construction Standards.

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8.12 Surety Standards

- A. **General:** A bond, irrevocable letter of credit, or other guarantee acceptable to the City (“financial surety”) shall be provided for all required public improvements and shall be executed prior to the time of Improvement Location Permit issuance for single site developments or prior to subdivision plat recording, which ever applies. Improvements that shall be guaranteed include facilities which shall become public, and may include other facilities or improvements set forth in the City’s Construction Standards and as may be specified in the Detailed Development Plan approval. If the project is to be built in phases, then the guarantee shall be posted prior to the commencement of work on each phase. The guarantee shall be in accordance with this Article and the City’s Construction Standards.
- B. **Construction/Performance Surety:**
1. **General:** Neither the Plan Commission nor the Board shall approve a development that includes public infrastructure without a financial surety to cover the proposed public improvements and installation.
 2. **Requirement for Surety:** All Developers shall provide a performance surety to the City for any street (public or private), sidewalk, path, storm sewer, erosion control, drainage facility, or any other facility that is intended or will be dedicated to the City. All such facilities on-site, any off-site improvements committed to by the Developer, and any off-site improvements required as a condition of approval shall be covered by the performance surety.
 3. **Requirements:** The performance surety shall:
 - a. Be in an amount of one hundred and ten percent (110%) of the estimated costs determined by the City to be sufficient to complete the improvements and installations in compliance with this Ordinance and the City’s Construction Standards.
 - b. Provide surety satisfactory to the City.
 - c. Run to and be in favor of the City or the County (outside the corporate limits of the City).
 - d. Specify the time for the completion of the improvements and installations (both on- and off-site).
 - e. Be on a form approved by the Council.
 4. **Duration of Surety:** All performance sureties shall be effective from approval to begin construction of the project and shall not terminate until released by the Board of Public Works. The performance surety shall not be released until the Public Works Department has certified that it has inspected the improvements during construction, and after completion, and that they have been installed in accordance with the intent of the approved construction plans and specifications (completion of the “punch list”).
 5. **Payment in Lieu:** There is hereby created a dedicated account in a form acceptable to the State Board of Accounts which shall hold and



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accumulate all funds paid pursuant to the provisions of this Article and which shall not thereafter be appropriated for any use unless it is associated with the completion of infrastructure improvements which had been approved by the City and which had not been completed after having been initiated for any reason whatsoever.

6. Alternative Guarantees: Nothing in this Article shall in any way limit the ability of the City to give consideration to other alternative forms of insuring the proper completion of public improvement projects involving infrastructure which is to be dedicated to the City or for the benefit of the public.

C. Maintenance Surety

1. General: When the improvements covered by the performance surety have been completed, the Developer shall apply for the release of the performance surety. For a period of three (3) years after the installations and improvements have been completed and are accepted for public maintenance by the appropriate governmental unit or agency thereof, the Developer shall at his own expense make all repairs to said improvements and installations, and on the foundation thereof, which may become necessary by reason of improper workmanship or materials, with such maintenance, however, not to include any damage to said improvements and installations resulting from forces or circumstances beyond the control of the Developer.
2. Requirement for Surety: The Developer shall provide a maintenance surety to the City for any Street (public or private), sidewalk, path, storm sewer, erosion control, drainage facility, or any other facility that is intended or will be dedicated to the City. All such facilities on-site, any off-site improvements to which the Developer has committed, and any off-site improvements required as a condition of approval shall be covered by the maintenance surety.
3. Requirements: The maintenance surety shall:
 - a. Run to and be in favor of the City.
 - b. Be in a sum of not less than ten percent (10%) of the total improvements construction cost of the development to assure and guarantee the maintenance of all improvements and installations, during such three-year period.
 - c. Provide surety satisfactory to the City.
 - d. Warrant the workmanship and all materials used in the construction, installation and completion of said improvements and that the installations are of good quality and have been constructed and completed in a workman like manner in accordance with standards, specifications and requirements of this Ordinance and the City's Construction Standards.
 - e. Include a certification from the Developer that all improvements and installations for the development required for compliance with

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- this Ordinance have been made or installed in accordance with the approved plans and specifications.
4. **Duration of Surety:** All maintenance sureties shall be effective from acceptance and shall not terminate until the Public Works Department has certified that it has inspected and approved the improvements (completion of the “punch list”).

8.13 Utility Standards

- A. **Applicability:** This Article applies to all development including, but not limited to Major Subdivisions, Improvement Location Permits and Development Plans.
- B. **Sewer and Water:** Public Sanitary Sewer and water hook-up shall be required for development in all Zoning Districts, except the *AG-SF1: Agriculture / Single-Family Rural District*.
- C. **Location and Character:** Utilities shall be installed underground in designated utility easements or Rights-of-way.
- D. **Sanitary Sewer Standards:** All development shall provide for the collection of all sanitary sewage discharges by the installation of sanitary sewers. These sewers shall be tied into a Public Sanitary Sewer system and constructed within the Right-of-way or dedicated sewer and utility easement. When a Public Sanitary Sewer is not available, then a septic sewer system on an individual Lot may be provided if permitted by this Ordinance and if constructed in accordance with the minimum requirements of the County Health Officer.
- E. **Water Service Standards:** All development shall provide a complete water main supply system, which shall be connected to a municipal or a community water supply system approved by the County Health Officer. When such municipal or community water supply is not available, then an individual water supply on each Lot shall be provided in accordance with minimum requirements of the County Health Officer.

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8.14 Chapter Amendment Log

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9.1 Purpose and Intent

Upon the adoption of the Westfield Washington Township Zoning Ordinance of 1977 and Zoning Map, and amendments thereto, and potentially upon other government action (e.g., acquisition of Right-of-way), some buildings, Structures, Lots and uses may no longer conform to the regulations of the Zoning District in which they are located. This Chapter has been generated, for this reason, to provide the rules, policies and regulations that apply to these buildings, structures, lots and uses.

9.2 Legal Nonconforming and Illegal Nonconforming

- A. **Illegal Nonconforming:** A Building, Structure, or Lot which was constructed or is being used without an approved Building Permit, Improvement Location Permit or approval from the Board or Plan Commission is considered illegal nonconforming when it does not conform to this Ordinance. An illegal nonconforming property shall be subject to enforcement and penalties as set forth in [CHAPTER 11: ENFORCEMENT & PENALTIES](#), and all other applicable State or Municipal law, and shall be altered to conform with all applicable standards and regulations of this Ordinance.
- B. **Legal Nonconforming:** Legal nonconforming is different than illegal nonconforming because a legal nonconforming property is caused by an amendment to this Ordinance, not as a result of a change to the property, that has resulted in the property no longer conforming to the policies and standards of the applicable Zoning District. When this situation occurs, then the property is deemed legal nonconforming and shall be subject to the terms of this Article.

9.3 Nonconforming Buildings and Structures

- A. A Legal Nonconforming Building or Structure shall be deemed as such for any Building or Structure that: (i) has been continuously occupied and legally existed prior to the enactment of this Ordinance, or an amendment thereto; and (ii) no longer conforms to the regulations set forth in this Ordinance, or its subsequent amendments.
- B. A Legal Nonconforming Building or Structure may continue provided it remains the same or fits within the below described tolerances:
 1. A Legal Nonconforming Building or Structure shall not be enlarged or altered in a manner that the enlargement or alteration increases its nonconformity; however, the Building or Structure, or portion thereof, may be altered to maintain or decrease its nonconformity.
 2. A Legal Nonconforming Building or Structure deliberately damaged or destroyed by more than fifty percent (50%) of its fair market value shall thereafter conform to the regulations of the Zoning District in which it is located.

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- C. If a Legal Nonconforming Building or Structure is moved for any reason, for any distance, then it shall thereafter conform to the provisions of this Ordinance.

9.4 Nonconforming Lots of Record

- A. A Legal Nonconforming Lot shall be deemed as such for any Lot that: (i) was established and recorded prior to the date of passage of the Westfield Washington Township Zoning Ordinance of December 20, 1977; and (ii) no longer conforms to the regulations set forth in this Ordinance, or its subsequent amendments, as applicable to Lots (e.g., Lot Area, Lot Width, Lot Depth, Lot Frontage).
- B. A Legal Nonconforming Lot may be: (i) used as permitted by the Zoning District in which the Lot is located; and (ii) built upon, only if the Lot and improvements otherwise comply with all other standards of this Ordinance, and provided that:
1. The Property Owner of said parcel does not own, in whole or in part, sufficient adjacent land to enable the parcel to conform to the dimensional and acreage requirements of this Ordinance;
 2. The Lot Width is no less than one hundred (100) feet; and
 3. The Lot Area is no less than one (1) acre.
- C. A Legal Nonconforming Lot shall lose its status as Legal Nonconforming Lot if the Lot has been either: (i) combined into a single Lot or parcel that either fully conforms with the standards of the Zoning District or decreases the nonconformity; or (ii) is combined with a conforming Lot or parcel. Once combined with another Lot, a Legal Nonconforming Lot shall not thereafter be subdivided except when the resulting Lots are in full compliance with this Ordinance.

9.5 Nonconforming Uses, Land, or Structures and Land in Combination

- A. A Legal Nonconforming use of Structures, land, or Structures and land in combination (collectively, "Legal Conforming Use") shall be deemed a Legal Nonconforming Use if it: (i) was established prior to the date of passage of the Westfield Washington Township Zoning Ordinance of December 20, 1977; (ii) does not conform to the regulations set forth in this Ordinance, or its subsequent amendments; (iii) no longer is a permitted use in the applicable Zoning District in which it is located.
- B. A Legal Nonconforming Use may continue provided that it remains otherwise lawful, subject to the following conditions:
1. No existing Structure devoted to a Legal Nonconforming Use shall be enlarged, expanded, increased, extended, constructed, reconstructed, moved, or structurally altered unless it:
 - a. Complies with this Chapter for limited and small expansions;

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- b. Changes the use of the Structure to a use permitted by the Zoning District in which it is located; or
 - c. Changes the use to a less intensive nonconforming use and is approved by the Director or Plan Commission.
2. No new Building or Structure shall be constructed in connection with an existing Legal Nonconforming Use.
3. A Legal Nonconforming Use of a Building or Structure may be extended throughout any parts of a Building or Structure which were plainly arranged or designed for such use prior the effective date of this Ordinance, but no such use shall be extended to occupy any land outside the Building or Structure.
4. A Structure being used by a Legal Nonconforming Use may be expanded an aggregate of up ten percent (10%) of the original Gross Floor Area, as it existed prior the effective date of this Ordinance. Expansions shall otherwise conform to all applicable standards of this Ordinance, unless a variance is granted by the Board.
5. If no structural alterations are made, then a Legal Nonconforming Use may be changed to another Legal Nonconforming Use, provided the use is equally appropriate or more appropriate to the Zoning District than the existing Legal Nonconforming Use, as determined by the Director. If a new Legal Nonconforming Use requires more parking than the previous use, as set forth by [Article 6.14 Parking and Loading Standards](#), then such new use shall comply with [Article 6.14 Parking and Loading Standards](#), as determined by the Director.
6. If a Legal Nonconforming Use is discontinued or abandoned for twelve (12) consecutive months, except when government action impedes access to the premises, then any subsequent use of such land, Structure or land and Structure shall conform to the provisions of this Ordinance.
7. A Legal Nonconforming Use superseded by a permitted use shall lose its legal nonconforming status and shall not thereafter be resumed.
8. Removal or destruction of a Structure in which a Legal Nonconforming Use existed shall result in the property losing its legal nonconforming status and shall not thereafter be resumed. Destruction is defined as deliberate damage of more than fifty percent (50%) of the Structure's fair market value at the time of destruction.

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9.6 Nonconforming Signs

- A. A Legal Nonconforming Sign shall be deemed as such for any Sign that: (i) lawfully existing on the effective date of this Ordinance, or amendment thereto; and (ii) no longer conforms to all standards and regulations of this Ordinance.
- B. Legal Nonconforming Signs shall be permitted to remain until such time as: (i) a major change is made to the Sign; (ii) any new Sign is proposed for the property upon which the nonconforming Sign is located; or, (iii) the Sign is taken down for maintenance and repair and is down for longer than thirty (30) days. Major changes for purposes of this Section shall include replacement of the Sign Copy, changing the size, changing the height, adding lights, altering light intensity, and/or relocation. The replacement of individual tenant panels on a Nonresidential Center sign shall not constitute a major change.
- C. Legal Nonconforming Signs shall comply with the Maintenance and Repair requirements found in [Article 6.17 Sign Standards](#) and shall be kept in good repair, safe, neat, clean and attractive condition. If Legal Nonconforming Signs are not kept in said condition for a period exceeding six (6) consecutive months or are demolished by any force whatsoever to the extent of fifty percent (50%) or more of the fair market value of the Sign, including its structure, then the Sign(s) shall lose its legal nonconforming status and shall conform to this Ordinance.
- D. A Legal Nonconforming Sign shall be removed by the owner or lessee of the premises upon which the Sign is located when the business it advertises is no longer conducted on the premises. If the Property Owner or lessee fails to remove the Sign, then the Plan Commission or Director shall give the Property Owner thirty (30) days written notice to remove it. Upon failure to comply with this notice, the Plan Commission or Director may remove the sign at cost to the Property Owner or lessee.
- E. A Legal Nonconforming Sign that loses its legal nonconforming status shall comply immediately with all provisions of this Ordinance or be granted a variance(s) from the Board of Zoning Appeals.

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9.7 Repairs and Maintenance

The following shall apply to Legal Nonconforming Structures or Buildings, and Legal Nonconforming Uses of Structures, or Structures and land in combination:

- A. Work may be done for ordinary repairs or replacement of walls, heating, fixtures, wiring, or plumbing; under the condition that the square footage and volume of usable space existing when the Structure became Legal Nonconforming shall not be increased.
- B. If a Building or Structure or portion of a Building or Structure were to become unsafe or condemned due to lack of repairs or maintenance, and is declared by an authorized official to be unsafe or condemned due to physical condition; then the Building or Structure shall be restored, repaired, rebuilt or entirely demolished within six (6) months of the declaration. If the Building or Structure is not restored, repaired, or rebuilt within the six (6) months, then the Building or Structure shall lose its Legal Nonconforming status and any future improvements shall conform to the standards and regulations of this Ordinance.
- C. If a Building or Structure becomes unsafe or unlawful due to physical condition and is razed, then the Building or Structure shall be rebuilt in conformity with the Zoning District in which it is located.
- D. Nothing herein shall be deemed to prevent the strengthening, repairing, or restoring to a safe condition of any Building or Structure or part thereof declared to be unsafe by any official charged with protecting public safety upon order of such official.

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CHAPTER 9

9.8 Chapter Amendment Log

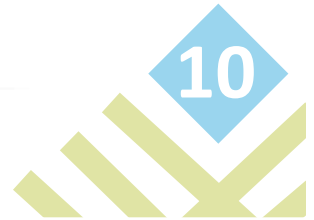
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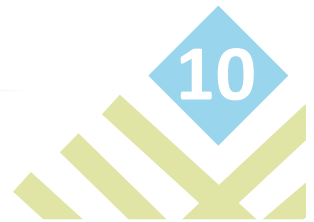
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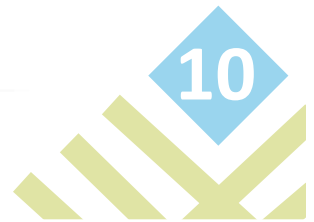


10.1 Processes and Permits

- A. **Purpose:** This Chapter outlines the procedure for permits, approvals and appeals, as set forth in this Ordinance.
- B. **Application:** Application and informational packets may be obtained through the Department and/or online through the [City's website](#).
- C. **Fees:** Fees shall be paid in accordance with the Fee Schedule, as set forth in [Article 3.1 General Administration](#). No permit shall be granted by the Department until all applicable fees pertaining to that permit have been paid in full. No permit shall be granted by the Department until all fees and fines owed by the Applicant to the City have been paid in full. This requirement shall apply not only to fees and fines specific to the individual application, but shall also include all fees and fines owed on any permit previously issued to the Applicant. A schedule of payment of all owed fees provided by the Applicant to the satisfaction of the Director shall satisfy the requirement of this section in lieu of payment in full.
- D. **Public Meetings:** Applications requiring public meetings shall be filed in accordance with the adopted Schedule of Meeting and Filing Dates, as set forth in [Article 3.1 General Administration](#) and subject to the Rules of Procedure of the applicable hearing body.

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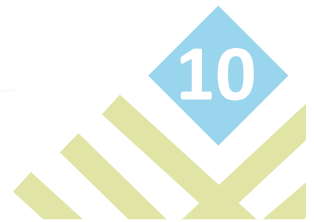


10.2 Administrative Determination

- A. **Purpose:** The interpretation authority established by this Ordinance is intended to recognize that the provisions of this Ordinance, though detailed and extensive, cannot, as a practical matter, address every specific situation to which they may have to be applied. Many such situations can be readily addressed by an interpretation of the specific provisions of this Ordinance in light of the general and specific purposes for which those provisions have been enacted. Because the interpretation authority established is an administrative rather than a legislative authority, it is not intended to add to or change the essential content of this Ordinance but is intended only to allow authoritative application of that content to specific cases.
- B. **Authority:** The Director may by written order, subject to the procedures, standards, and limitations of this Ordinance, render interpretations of the provisions of this Ordinance and of any rule or regulation issued pursuant to it (“Administrative Interpretation” or “Administrative Determination”).
- C. **Parties Entitled to Seek Interpretations:** Applications for interpretations may be filed by any person having a legal or equitable interest in property that gives rise to the need for an interpretation; provided that interpretations shall not be sought by any person based solely on hypothetical circumstances or where the interpretation would have no effect other than as an advisory opinion.
- D. **Procedure for Review and Decision**
1. **Application:** Applications for interpretations of this Ordinance shall be filed in accordance with the requirements of this Article.
 2. **Action on Application:** Within ten (10) working days following the receipt of a properly completed application, the Director shall inform the Applicant in writing of his/her determination, stating the specific precedent, reasons, and analysis upon which the determination is based. The failure of the Director to act within ten (10) working days, or such further time to which the Applicant may agree, shall be deemed to be a decision denying the application rendered on the day following such ten (10) day period.
 3. **Records:** A record of all applications for determinations shall be kept on file in the office of the Director and may, at the Director’s discretion, be required to be recorded in the Office of the Recorder of Hamilton County, Indiana.
 4. **Appeal:** Appeals from interpretations rendered by the Director may be made in accordance with [Article 10.3 Appeals of Administrative Decisions](#).
- E. **Standards for Interpretations:** The following standards shall govern the Director, and the Board on appeals from the Director, in issuing determinations:
1. No determination shall permit any use in any Zoning District unless

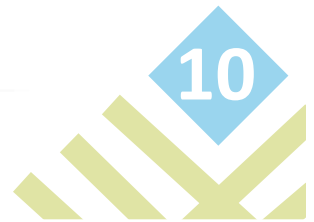
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- evidence shall be presented that demonstrates that it will comply with the general regulations established for that particular Zoning District;
2. No determination shall permit any use in a Zoning District unless such use is similar to other uses permitted in the Zoning District and is more similar to those uses than to uses permitted in a more restrictive Zoning District;
 3. If a proposed use is most similar to a use permitted only as a Special Exception in the Zoning District in which it is proposed to be located, then any determination permitting such use shall be conditioned on the approval of the Special Exception pursuant to [Article 10.11 Special Exceptions](#); and
 4. No determination shall permit the establishment of any use that would be inconsistent with the purpose and intent of the Zoning District.
- F. **Effect of Favorable Interpretations:** No determination shall authorize the establishment of a use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approvals that may be required by this Ordinance and ordinances of the City including, but not limited to, a Building Permit, a Certificate of Occupancy, Primary and Secondary Plats, or Development Plan approval.
- G. **Limitations on Interpretations:** A determination shall be limited only to the particular circumstance for which it was issued, and such determination shall not be deemed to authorize any allegedly similar circumstance for which a separate determination has not been issued, unless otherwise provided for in the determination.

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10.3 Appeals of Administrative Decisions

- A. **Right of Appeal:** The Board of Zoning Appeals may grant an appeal of any decision, interpretation, or determination made by the Director, or any other administrative official or board charged with the duty of enforcing and interpreting this Ordinance. The procedure set forth in this Article shall apply to all appeals of administrative decisions, unless otherwise set forth by local or Indiana law.
- B. **Stay of Enforcement:** If an appeal is filed in accordance with this Article, then the enforcing party shall take no further action on the matter pending the Board's decision, except for unsafe circumstances which present an immediate and serious danger to the public.
- C. **Application:** The Applicant shall submit an administrative appeal application within thirty (30) days of when the decision, interpretation, or determination was made, along with the required supporting information. Supporting information shall include, but not be limited to, the following:
1. **Original Submittals:** Copies of all materials upon which the decision being appealed was based.
 2. **Written Decisions:** Copies of any written decisions that are the subject of the appeal.
 3. **Appeal Basis:** A letter describing the reasons for the appeal noting specific sections of this Ordinance or other applicable standards upon which the appeal is based.
- D. **Board Review:** The Board will then, at a meeting scheduled consistent with the adopted Schedule of Meeting and Filing Dates, review the administrative appeal application and supporting information.
1. **Representation:** The Applicant and/or any representative of the appellant must be present at the meeting to present the appeal.
 2. **Testimony:** The Board shall consider at the meeting a report from the Department and/or enforcing party, testimony from the Applicant, and/or testimony from witnesses.
 3. **Procedures:** The presentation of reports and testimony and all other aspects of the meeting shall be consistent with the Rules and Procedures of the Board.
- E. **Board Action:** The Board may affirm, affirm with modifications, reverse, or continue the appeal.
1. **Affirm:** If the Board finds the administrative decision was consistent with the provisions of this Ordinance, then the Board shall affirm the determination in writing.
 2. **Affirm with Modifications:** If the Board determines the proper interpretation of the provision(s) of this Ordinance that are subject to the appeal is consistent with neither the administrative decision nor the requested interpretation of the Applicant, then the Board may affirm the

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determination with modifications.

3. Reverse: If the Board finds the administrative decision was inconsistent with the provisions of this Ordinance, then the Board shall reverse the determination in writing.
4. Continuances: The appeal may be continued based on a request by the Department or Applicant; an indecisive vote; or a determination by the Board that additional information is required prior to action being taken on the request. The continuing of all applications shall be consistent with the Rules and Procedures of the Board.

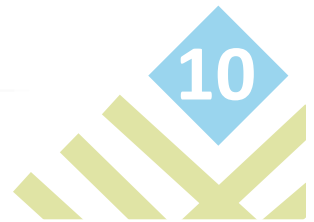


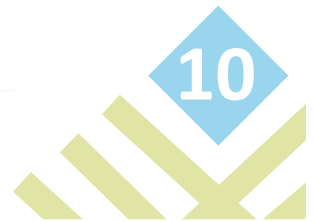
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10.4 Certificate of Compliance

- A. **Applicability:** An application for a Certificate of Compliance (“CofC”) may be filed in accordance with this Article. A CofC: (i) may be required as set forth by this Ordinance; (ii) may serve as a written confirmation by the City that a property or use complies with this Ordinance, as may be requested by an Applicant; (iii) may serve as a written verification of a property’s zoning, as may be requested by an Applicant; and, (iv) shall be required for:
1. A change in use (e.g., change from residential to commercial, change to a Special Handling Retail use).
 2. Exterior building or site improvements that would not otherwise require an Improvement Location Permit or Development Plan approval.
 3. Landscaping (e.g., buffer yards) in Common Areas or Open Spaces.
 4. Conditions of approval associated with an approval of the Board, Plan Commission or Council.
 5. Other similar circumstances as may be determined by the Director.
- B. **Application:** An Applicant shall submit a completed application, on forms provided by the Department, or a detailed written request to the Department with supporting information. Applications, requests, plans, and specifications filed by an Applicant shall be checked by the Department for compliance with this Ordinance. If the Department is satisfied that the property, plans and information provided in the application conforms to the requirements of this Ordinance and other applicable laws and ordinances, then the Department shall issue a Certificate of Compliance to the Applicant.
- C. **Effect:** No CofC shall authorize the establishment of a use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely certify compliance of an existing property, use and/or improvements thereon made in accordance with an approved permit. The filing and processing of applications for any permits and approvals may be required by this Ordinance and ordinances of the City including, but not limited to, a Building Permit, a Certificate of Occupancy, Primary and Secondary Plats, or Development Plan approval, for proposed improvements or uses.
- D. **Limitations:** A CofC shall be limited only to the particular circumstance for which it was issued and at the time it was issued, and the CofC shall not be deemed to authorize any allegedly similar circumstance for which a separate review or certificate has not been issued or change in circumstances, unless otherwise provided for in the CofC.
- E. **Records of Certificate of Compliance:** Every CofC issued pursuant to this Article shall be kept on file in the office of the Department and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building or land affected.

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10.5 Certificate of Occupancy

- A. **Authority:** It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy (“CofO”) shall have been issued by the Department. The CofO shall state that the proposed use of the building and/or land conforms to the requirements of this Ordinance and that the Department has inspected the property and attested to that fact.
- B. **Applicability:** Applications for a CofO shall be filed in accordance with this Article and shall be applied for coincidentally with the application for an Improvement Location Permit within ten (10) days after the lawful erection, reconstruction or structural alteration of such building or other improvement of the land shall have been completed.
- C. **Issuance of Certificate of Occupancy:** A CofO may be issued by the Department within ten (10) days after notification by the Applicant that the lawful erection, reconstruction, or structural alteration of such building or other improvement of the land shall have been completed and the finding of the Department that such erection, reconstruction, or structural alteration is complete.
- D. **Enforcement:** In case any building, structure, or property is, or is intended to be erected, constructed, reconstructed, altered or converted, or any building, structure, or property is, or is intended to be used in violation of, or contrary to the provisions of this Ordinance, the Director is hereby authorized, in addition to other remedies set forth in Indiana law and in this Ordinance, to institute an action to enjoin, or any other appropriate action or proceeding to prevent such erection, construction, alteration, conversion, or use. See also [CHAPTER 11: ENFORCEMENT & PENALTIES](#).
- E. **Sewage Disposal:** An application for a permit for any use shall not be approved until it has been ascertained by the Department that the proposed use and minimum Lot size and width meet the minimum standards for a sewage disposal system as required by the County Health Department, the Board of Public Works, other licensed centralized waste collection entities of appropriate jurisdiction, and as otherwise required by this Ordinance. No CofO shall be issued for a non-residential structure or for any other applicable use until the plans for such structure shall have been approved by the appropriate state agencies, including the State Fire Marshal.
- F. **Temporary Certificate of Occupancy:** When the improvement covered by the issued permit has been completed in substantial conformity with the architectural plan, site plan and/or development plan submitted with the application, a Conditional CofO may then be issued. For non-residential structures, the Conditional CofO shall permit the stocking, shelving, furniture installation and similar activities but not the utilization of the building for general public use or the term “Open for Business.” For residential structures, a Conditional CofO does permit the occupying of the structure

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in most instances. A Conditional CofO is valid for a period not exceeding thirty (30) days. At the end of the thirty (30) days, all unfinished items shall be completed and re-inspected for total compliance with the issued permit and submitted plans. The Director may grant thirty (30) day extensions for unusual or unique circumstances.

- G. **Records of Certificate of Occupancy:** Every CofO issued pursuant to this Article shall be kept on file in the office of the Department and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building or land affected.

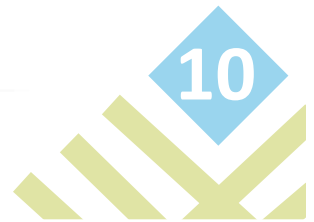


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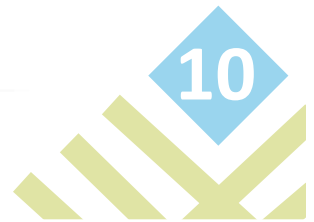
10.6 Commitments

- A. **Applicability:** An Applicant may be required or allowed to make a commitment to the Plan Commission or Board as a condition to the use or development of real estate in connection with the: (i) approval of a change of zoning proposal; (ii) approval of a Primary Plat or Overall Development Plan; (iii) approval of a vacation of all or part of the plat; or (iv) approval of an application for a Special Exception or Variance.
- B. **Form:** Commitments shall be reduced to writing in a recordable form approved by the City and signed by the owner(s) of the real estate.
- C. **Expiration:** Commitments may contain terms providing for its own expiration. A commitment may contain terms providing that the commitment automatically terminates: (i) if the Zoning District or classification applicable to the property is changed; (ii) if the use to which the commitment relates is changed; or (iii) otherwise in accordance with the Rules of Procedure of the Plan Commission or Board to which the commitment is made. If not otherwise provided, commitments shall be in effect until otherwise modified or terminated pursuant to this Article.
- D. **Recording:** Commitments shall authorize their recording by the Department in the Office of the Recorder of Hamilton County, Indiana, upon the final approval of the related petition. If recorded by the Department, then the Department shall return the original recorded commitments to Applicant and shall retain a copy of the recorded commitments in its file. If recorded by the Applicant, then the Applicant shall return a copy of the recorded commitments to the Department.
- E. **Enforcement:** The Plan Commission, Property Owners of real estate adjoining the subject real estate and all Property Owners of real estate within the area included in the petition who were not Applicants for approval, and other affected persons specifically designated in such commitments shall be entitled to enforce such commitments pursuant to [I.C. 36-7-4-1015](#), or as otherwise provided by applicable law.
- F. **Modification of Commitments:** A commitment made pursuant to this Ordinance, may be modified or terminated only by a decision of the Plan Commission or Board to which the commitment was made. The decision must be made: (i) at a public hearing by the Plan Commission or Board, as the case may be, after notice of the hearing has been provided under the applicable Rules of Procedure; and (ii) following an introductory presentation of the proposed modification to the Council, prior to the public hearing, if the proposed modification is to a commitment originally made in connection with a change of zoning petition. Any modification or termination of the commitments shall not be effective until: (i) reduced to writing in a form approved by the City; (ii) approved by the Plan Commission or Board, as the case may be; (iii) executed and notarized by the current Property Owner of the real estate; and, (iv) recorded in the Office of the Recorder of Hamilton County, Indiana.



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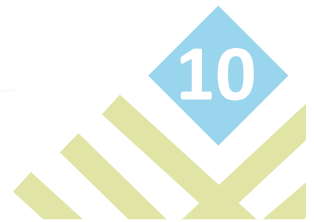
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10.7 Development Plan Review

- A. **Authority:** A Development Plan review process, as set forth herein, is hereby established to ensure adherence to the standards of this Ordinance. Development Plan applications shall be generally considered favorably by the Plan Commission and Department.
- B. **Purpose:** The purpose of the Development Plan review process is to: (i) promote innovation and creativity in the design of the built environment; and, (ii) assure the compatibility of new development or major additions to existing development with the surrounding community.
- C. **Applicability:** The Development Plan review process shall be necessary prior to any: (i) new construction; (ii) building additions; (iii) new or expanded surface Parking Areas; (iv) new or expanded surface loading areas; (v) exterior building renovations that require a Building Permit; or, (vi) or any other improvements that require an Improvement Location Permit.
1. **Exception:** Individual Single-family Dwellings shall not require Detailed Development Plan approval in accordance with this Article; rather, the Building Permit review process (see also [Article 10.8 Improvement Location Permit](#)) shall serve as the Detailed Development Plan.
 2. **Transition Rules:**
 - a. **Previously Approved Development Plans:** A development plan or site plan approved by the Plan Commission prior to the adoption of this Ordinance shall be deemed to be an approved Detailed Development Plan; except for development plans approved by the Plan Commission for single-family developments, which shall be deemed as approved Overall Development Plans.
 - b. **Existing Lots without Approved Development Plans or Site Plans:** New improvements or changes to existing improvements on a Lot which was lawfully developed, but did not receive approval of a development plan or site plan by the Plan Commission, shall require Detailed Development Plan approval, pursuant to this Article. Overall Development Plan approval shall only be required in this case if the proposed development results in a Major Subdivision.
- D. **Approvals Required:** The approval of a Development Plan is a two step process that includes the approval of an Overall Development Plan and the approval of a Detailed Development Plan, as set forth herein. The approval or disapproval of both an Overall and a Detailed Development Plan is hereby delegated to the Plan Commission.
1. **Overall Development Plan:** The purpose of the Overall Development Plan is to preliminarily divide property into Lots, Blocks or Common Area and to ensure compliance with the standards of this Ordinance with regard to Lots (e.g., size, access, general building envelopes), common areas (e.g., perimeter landscaping, shared signage) and shared infrastructure (e.g., drives, streets, cross-access, utilities, drainage). An Overall Development Plan does not include the review of the site layout or building design of

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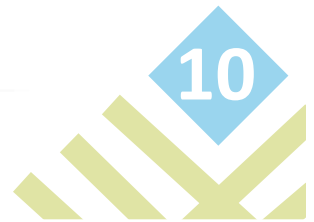


individual building Lots; rather, it is intended to generally review Lots, common areas, public spaces and shared infrastructure so that adequate consideration is given to ensure a coordinated development prior to subdividing the property.

2. **Detailed Development Plan:** The purpose of the Detailed Development Plan is to clearly define all construction matters and special conditions such as construction techniques, specific building locations and design (e.g., architecture), and specific site design (e.g., landscaping, parking, signage, lighting) for an individual Lot or Block.
- E. **Development Plan Review Criteria:** Development Plans shall comply with and be reviewed by the Plan Commission upon finding that the Development Plan is in compliance with the following requirements:
1. Compliance with all applicable development and design standards of the Zoning District in which the real estate is located.
 2. Compliance with all applicable provisions of any Overlay District in which the real estate is located.
 3. Management of traffic will be in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community such that:
 - a. The design and location of proposed street and highway access points shall minimize safety hazards and congestion.
 - b. The capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
 - c. The entrances, streets and internal traffic circulation facilities in the proposed development are compatible with existing and planned streets and adjacent development.
 4. The applicable utilities have sufficient capacity to provide potable water, sanitary sewer facilities, electricity, telephone, natural gas, and cable service at a satisfactory level of service to meet the needs of the proposed development.
- F. **Approval Process:**
1. **Application Procedures:**
 - a. **Pre-Filing Conference:** A pre-filing conference with the Department is required prior to the filing of any Development Plan application. The Applicant is encouraged to incorporate the Department's comments into the design of the project prior to filing the application.
 - b. **Who May File:** Applications may be filed by a petition signed by the Property Owners of the real estate involved in the petition, or the Property Owner's authorized agent. If an authorized agent, then a consent form signed by the Property Owner and notarized shall accompany the application.
 - c. **Filing Deadline:** Applications shall be filed in accordance with the Schedule of Meeting and Filing Deadlines. The Applicant shall be

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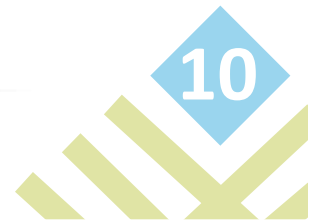
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- responsible for distributing a copy of the application and Development Plan to members of the Technical Advisory Committee.
- d. Forms of Filing: An Applicant shall submit a completed application to the Department on forms provided by the Department with documentation and supporting information as set forth in this Article. The number of copies of all petitions and supporting documentation required to be filed shall be as established by the Department.
 - e. Specifying Waiver Request: All Development Plans shall specify and detail any waivers requested pursuant to [Article 7.3 Principles and Standards of Design](#). Any waiver of standard shall not be considered unless specifically requested and presented to the Plan Commission for its consideration, even if it is otherwise identified on the Development Plan.
 - f. Docketing by Department: Each Development Plan filed shall be reviewed for completeness. All Development Plans which are determined to be in proper form pursuant to the guidelines established by the Department shall be numbered and docketed by the Department for an initial hearing by the Plan Commission.
2. Investigation of Petitions: The Technical Advisory Committee may review any Development Plan, at the Director's determination, prior to the Plan Commission's consideration. The Department may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Development Plan, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. The report may also contain opinions of the Department concerning the proposal contained in the Development Plan and a report from members of the Technical Advisory Committee. A copy of such statement shall be made available to the Applicant and all remonstrators of record, if any.
 3. Amendments Prior to Public Hearing: Amendments to a Development Plan to be considered at the public hearing must be received by the Department in accordance with the Schedule of Meeting and Filing Deadlines, to allow for the Department's written report to include comments and recommendations related to plans that may have been amended in response to comments provided by the Department or the Technical Advisory Committee. If the Director determines amendments made are beyond those necessary to comply with the recommendations of the Department or the Technical Advisory Committee, then the Director may continue the public hearing and require the amended plans to be reviewed again by the Department and/or the Technical Advisory Committee.
 4. Public Hearing and Notice: A public hearing by the Plan Commission shall be required for any Development Plan and notification for the scheduled public hearing shall be completed consistent with the requirements of the Rules of the Procedure of the Plan Commission and the Schedule of Meeting and Filing Deadlines. Any Development Plan which has been

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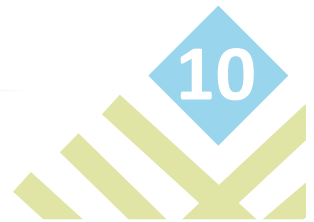


delegated to the Director for approval may occur without public notice and without a public hearing.

5. Amendments Proposed at Public Hearing: An Applicant may make amendments to a Development Plan pending determination by the Plan Commission at any time prior to a vote being called for by the Plan Commission. If, in the sole discretion of the Plan Commission, the proposed amendment is of such a nature that additional time is needed for review, then the Plan Commission may continue its consideration in accordance with the Rules of Procedure of the Plan Commission. If amendments are presented by the Applicant and agreed to by the Plan Commission at the public hearing, then revised plans indicating all amendments approved by the Plan Commission shall be filed with the Department prior to the application of a Detailed Development Plan.
6. Plan Commission Action: The Plan Commission will then hold the public hearing and review the application and required information and take action on the petition in accordance with this Ordinance, Indiana law, and the Rules of Procedure of the Plan Commission.
7. Amendments to Approved Overall Development Plan: Changes to an Overall Development Plan which has already received approval by the Plan Commission shall be subject to this section.
 - a. Minor Amendments: If the Director determines a change to an approved Overall Development Plan is not a Major Amendment, as set forth below, then the change shall be deemed a Minor Amendment. Minor Amendments may be administratively approved by the Director as part of the Detailed Development Plan without a public hearing in the Department's continuing administration of the Development Plan.
 - b. Major Amendments: If the Director determines a change to an approved Overall Development Plan is a Major Amendment, then the Applicant shall be required to file a new application of an amendment to the Overall Development Plan, which shall follow the procedures set forth in this Article for the initial approval of the Overall Development Plan.
 - i. A change shall be deemed a Major Amendment if the Director determines the change adversely impacts the purpose or intent of the overall development or approved Overall Development Plan, or if the change results in any of the following:
 - (a) An increase in the buildable area or number of Lots.
 - (b) An increase in the area or intensity of a use.
 - (c) A reduction in the width of or number of plantings in a perimeter yard (e.g., buffer yard, external street frontage landscaping).
 - (d) Additional driveways, Rights-of-way or access points.
8. Amendments to Approved Detailed Development Plan: Amendments to an approved Detailed Development Plan may be filed as a new

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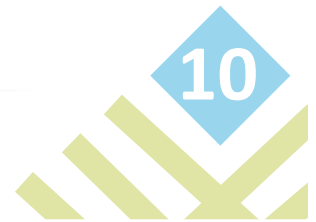


application for review and approval of a Detailed Development Plan, which shall follow the procedures set forth in this Article for the initial approval of the Detailed Development Plan. If changes to an approved Detailed Development Plan do not otherwise warrant the application or issuance of an Improvement Location Permit (see also [Article 10.8 Improvement Location Permit](#)), then an application and issuance of a Certificate of Compliance (see also [Article 10.4 Certificate of Compliance](#)) shall be required.

9. **Surety Requirement:** In conjunction with the approval of a Detailed Development Plan, the Applicant shall provide financial sureties for all public improvements in accordance with this Ordinance (see also [Article 8.19 Surety Standards](#)).
 10. **Appeals of Determinations by Director:** Any determination of the Director made under the authority of this Article may be appealed by any interested party to the Plan Commission. Such letter shall request a hearing on the matter by the Plan Commission at the Plan Commission's next regularly scheduled meeting for which published notice of the appeal pursuant to [I.C. 5-3-1](#) can be provided. Further, appeals of the Plan Commission's determination may be made in accordance with [Article 10.3 Appeals of Administrative Decisions](#).
- G. **Application Documentation and Supporting Information:** All applications for Development Plan approval shall include the documentation and supporting information set forth herein. Other information as deemed necessary to support a thorough review of the project may be requested in writing by the Plan Commission or Director. The Director, in its sole discretion, may, in writing, waive or relax any of the documentation required which is not relevant or is deemed unnecessary for a thorough review of the development.
1. **Development Plan Scope:** An Overall Development Plan shall include those details applicable to the overall development, shared or common areas, shared infrastructure, and other areas deemed appropriate by the Director or Plan Commission in order that adequate consideration is given to ensure a coordinated development prior to subdividing the property. A Detailed Development Plan shall include all details specific to the individual Lot that is the subject of the application.
 2. **General Plan Requirements:** An Overall and Detailed Development Plan shall include the following, which shall be drawn to scale of not more than 1" = 100':
 - a. Title, scale, north arrow and date.
 - b. Proposed name of the development.
 - c. Area map insert showing the general location of the site referenced to Streets, section lines and alternative transportation plan system, as well as the Zoning District and use of adjacent property;
 - d. Address and legal description of the property.
 - e. Boundary lines of the property including all dimensions.

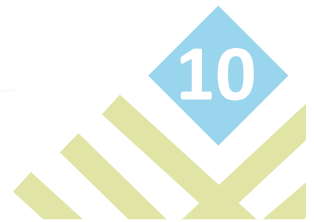
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- f. Location, name, centerline and width of all Streets, Private Streets, Alleys, access easements and alternative transportation plan system improvements that are existing or proposed to be located within or adjacent to the property.
 - g. Location, centerline and width (at the Lot Line) measurements of any proposed or existing Driveways within two hundred (200) feet of the property, and any connection to an Alley must be indicated.
 - h. Location and dimensions of primary vehicular ways in and around the proposed development, including depictions of all travel lanes, turning movements, vehicle storage areas and tapers.
 - i. All proposed Street and Driveway improvements, both on and off-site, including measurement of curb radius and/or taper.
 - j. Location and dimensions of existing and proposed sidewalks, pathways, trails or other alternate transportation plan improvements;
 - k. Layout, number, dimension and area (in square feet and acres) of all Lots and Outlots with Building Setback Lines.
 - l. Location and dimensions of all existing structures and paved areas.
 - m. Location and dimensions of all proposed structures and paved areas (indicated by cross-hatching).
 - n. Location of all Floodplain areas within the boundaries of the property.
 - o. Names of legal ditches and streams on or adjacent to the site.
 - p. Location and feasibility statement 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.
 - q. Identify buildings proposed for demolition.
 - r. Areas of the property reserved for Development Amenities, Open Space and other similar uses.
 - s. Use of each Lot and/or building by labeling, including approximate density or size of proposed uses and buildings (e.g., number of parking spaces, Dwelling Units, Gross Floor Area, Living Area).
 - t. Label Building Separation and/or Building Setback Lines in relation to Front, Rear and Side Lot Lines.
3. Primary or Secondary Plat: If a property is being subdivided, then: (i) a Primary Plat, meeting the terms of this Ordinance, shall be submitted prior to or contemporaneous with the Overall Development Plan; and (ii) a Secondary Plat, meeting the terms of this Ordinance, shall be submitted prior to or contemporaneous with the Detailed Development Plan (see also [Article 10.12 Subdivision](#)).
 4. Landscape Plan: A Landscape Plan in accordance with [Article 6.8 Landscaping Standards](#), shall be required as part of any Development Plan. Landscape Plans for Overall Development Plans shall generally detail perimeter areas, Buffer Yards, common areas, entryways and any other Open Space as deemed appropriate by the Plan Commission or Director. Landscape Plans for a Detailed Development Plan shall generally be site or Lot specific showing compliance with Parking Area areas, Buffer Yards, and on-site or foundation requirements.

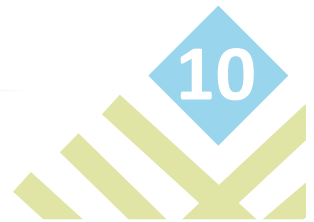
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5. Open Space and Development Amenity Plan: A statement of the nature and extent of all existing and proposed Open Space and Development Amenities shall be provided either on the submitted Landscape Plan or in writing, along with any necessary explanatory materials or graphics, as part of any Development Plan (see also [Article 8.6 Open Space and Amenity Standards](#)).
6. Lighting Plan: A Lighting Plan in accordance with [Article 6.9 Lighting Standards](#), shall be required as part of any Development Plan.
7. Sign Plan: A Sign Plan in accordance with [Article 6.17 Sign Standards](#), may be required with the submission of any Development Plan; however, all signs shall be subject to approval and obtaining a Sign Permit (see also [Article 10.10 Sign Permits](#)) prior to erection.
8. Building Elevations: Drawings of proposed buildings shall be filed in connection with the submission of a Detailed Development Plan and shall be drawn to scale and include the following (see also [Article 6.3 Architectural Standards](#)):
 - a. Address of the property and graphic scale.
 - b. Proposed name of the development.
 - c. Elevations for each Building Facade (360 degree).
 - d. Specification or sample of the type and color of exterior materials to be used for all wall, window, roof and other architectural features.
 - e. A separate true color rendering, or other realistic depiction, of the proposed building, including any areas designated for signage.
 - f. Details of any exterior architectural lighting.
9. Integrated Developments: Documentary assurances may be required for integrated developments that ensure that the development will be provided with, at a minimum: (i) regular trash pick-up; (ii) snow removal; (iii) common vehicle access point(s), and drive(s) and Parking Area(s), including maintenance thereof.
10. Traffic Impact Study: A Traffic Impact Study may be required to be conducted at the discretion of the Director, the Department of Public Works Director, or the Plan Commission. If a Traffic Impact Study is required, then it shall be prepared by a registered professional engineer and shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, a Applicant shall meet with the Department to determine the appropriate scope for the study.
11. Statement of Development Build-Out: The Overall Development Plan shall include a statement of: (i) the order of development of the major infrastructure elements of the project; (ii) development phase boundaries, if any; (iii) the order and content of each phase; and, (iv) an estimate of the time frame for build-out of the development.

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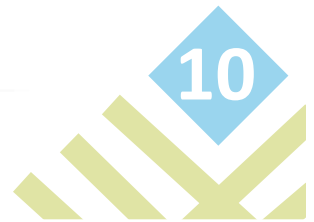
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10.8 Improvement Location Permit

- A. **Applicability:** Applications for an Improvement Location Permit shall be filed in accordance with this Article.
- B. **Application:** An Applicant shall submit a completed application to the Department on forms provided by the Department with supporting information. Applications, plans, and specifications filed by an Applicant for a permit shall be checked by the Department. If the Department is satisfied that the plans and work described in the application conforms to the requirements of this Ordinance and other applicable laws and ordinances, then the Department shall issue a permit to the Applicant.
1. **Site Plan:** Any persons, who shall make application for an Improvement Location Permit, shall, at the time of making such application furnish a site plan or development plan of the real estate. Site plans so furnished shall become a permanent public record and shall be drawn to scale showing, at a minimum, the following:
 - a. Legal or site description of the real estate involved.
 - b. Location and size of all buildings and structures.
 - c. Location of existing and proposed easements.
 - d. Width and length of all entrances and exits to and from said real estate.
 - e. All adjacent Rights-of-way.
 - f. Building construction elevation points.
 2. **Performance Standards:** An application for any use subject to [Article 6.15 Performance Standards](#) shall be accompanied by a certificate subscribed by a registered professional engineer or architect, certifying that the use intended will satisfy the performance standards of this Ordinance, if requested by the Building Commissioner. The Building Commissioner may take ten (10) days in which to study the application, during which time he may consult with appropriate technical consultants. If the Building Commissioner has not required any additional information or stated any objections in writing after the ten (10) day period, then the Department shall issue the Improvement Location Permit.
- C. **Special Exception Uses:** The Building Commissioner shall issue an Improvement Location Permit for a Special Exception only after the Special Exception has been approved by the Board in accordance with this Ordinance (see also [Article 10.11 Special Exceptions](#)).
- D. **Infrastructure:**
1. **Release of Foundation:** No permit to release construction of a building foundation shall be issued until: (i) streets, curbs, gutters, sanitary sewers, storm sewers and the like infrastructure have been constructed and inspected in accordance with the City's Construction Standards; or (ii) financial sureties for all public improvements are secured in accordance with this Ordinance and the City's Construction Standards.
 2. **Release of Building Permit:** No permit to release the vertical construction

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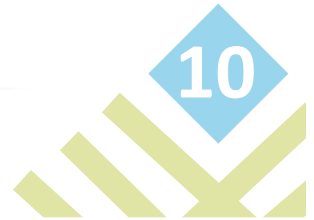


of a building shall be issued until notification has been received from the water utility for the project stating the water lines have been accepted and are in service and the fire hydrant(s) intended to serve the building has been accepted by the Fire Marshal.

3. **Release of CofO:** No Certificate of Occupancy (see also [Article 10.5 Certificate of Occupancy](#)) shall be issued for a building until all streets, curbs, gutters, sanitary sewers, storm sewers and like infrastructure, of the applicable section of a subdivision or approved Development Plan in which structures are being constructed, have been constructed in accordance with the City's Construction Standards and the financial sureties for the maintenance of said improvements are secured in accordance with this Ordinance and the City's Construction Standards.
- E. **Penalties:** Penalties may be assessed pursuant to this Ordinance if construction has commenced prior to obtaining a permit or payment of fees. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, realtor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- F. **Inspections:** After the issuance of any permit, the Building Commissioner shall make, or cause to be made, inspections of the work being done as are necessary to ensure compliance with the provisions of this Ordinance and the terms of the permit. Re-inspections of work found to be incomplete or not ready for inspection may be subject to assessment of re-inspection fees as prescribed herein. The Fire Marshal, or designated representatives, may assist the Building Commissioner in the inspection of fire suppression, detection and alarm systems and may provide reports of such inspection to the Building Commissioner.
- G. **Entry:** Upon presentation of proper credentials, the Building Commissioner, or duly authorized representatives, may enter at reasonable times any building, structure, or premises in the Jurisdiction of the Plan Commission to perform any duty imposed by this Ordinance.
- H. **Stop Order:** Whenever any work is being done contrary to the provisions of this Ordinance, the Building Commissioner, or duly authorized representatives, may order the work stopped by notice, in writing, served on any persons engaged in the causing of such work to be done. Any such persons shall forthwith stop such work until authorized by the Building Commissioner, or duly authorized representatives, to proceed with the work.
- I. **Certificate of Occupancy:** No land shall be occupied or used and no building hereafter erected, reconstructed or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a Certificate of Occupancy has been issued. No Improvement Location Permit shall be issued for excavation for or the erection, reconstruction or structural alteration of any building, before application has been made for a Certificate of Occupancy. See also [Article 10.5 Certificate of Occupancy](#).

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- J. **Sewage Disposal:** An application for an Improvement Location Permit for any use shall not be approved until it has been ascertained by the Department that the proposed development will meet the minimum standards for a sewage disposal system as required by the County Health Department, the Board of Public Works, other licensed centralized waste collection entities of appropriate jurisdiction, and as otherwise required by this Ordinance.
- K. **Workmanship:** All work on construction and alteration of buildings and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.
- L. **Permit Time Limitations:**
1. **Deadline for Obtaining Permit Once Filed:** Any permit application shall be considered null and void unless all applicable fees have been paid in full within one (1) year from the date a permit is approved by the Department.
 2. **Completion Time:** The work or use authorized by any Building Permit, Improvement Location Permit or other permit must be commenced within six (6) months of the date of issuance of such permit, otherwise the same shall lapse and be and become null and void. All work so authorized shall be completed within twenty-four (24) months from the issuance of the permit. The Director may extend the work completion time if good cause is shown by Applicant.
 3. **Renewing Permits:** If construction is commenced pursuant to an issued permit but not completed in the time frame established herein, then it will be necessary for the Applicant to renew the permit at the end of the prescribed time frame. The fee that shall be collected for this renewal shall be equal to fifty percent (50%) of the fee originally paid for the permit and the fee must be paid prior to the issuance of the renewed permit.
- M. **Changes to Approved Permits:** Construction shall be consistent with plans and specifications approved as part of an issued permit. Such plans and specifications shall not be changed, modified, or altered without written authorization by the Department. Changes to approved plans shall be reviewed and approved or disapproved in accordance with this Ordinance and upon determination by the Department of whether further action is required by the Plan Commission or Board and whether any additional permits or fees are due.
- N. **Demolition Permits:** A demolition permit shall be obtained prior to a structure being removed and/or destroyed to the ground. A completed and signed application for a Building Permit shall be made and include:
1. A single copy of a sketch plan drawing (informal) including the general locations of all existing structures on the real estate; highlighting/identifying the structure(s) to be removed.
 2. A written statement as to the removal of the demolished materials and the intended use of the area, as well as the place where the demolished

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materials are being located or hauled.

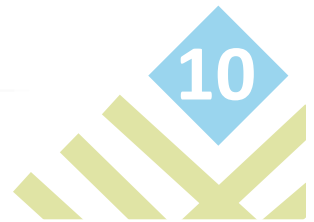
3. A written and signed statement concerning the existing well, septic systems, sanitary sewer, and/or fuel tanks. Written proof of disconnection from utilities such as gas, water, and/or electric.
- O. **Farm Buildings:** Accessory Buildings constructed in the normal course of agricultural business (see Agricultural Uses) for the support of individual farms are not subject to requirements for detailed construction plans; however, a special Agricultural Accessory Building Permit is required and subject to two (2) inspections and related fees. If any structure requires plumbing, heating, sewage, electric or office space, then this section shall not apply; rather, the structure shall be subject to the other requirements stated herein. This section shall not apply to Agritourism Uses.
- P. **Appeals:** Appeals may be made in accordance with [Article 10.3 Appeals of Administrative Decisions](#).
- Q. **Enforcement and Penalties:** See [CHAPTER 11: ENFORCEMENT & PENALTIES](#).



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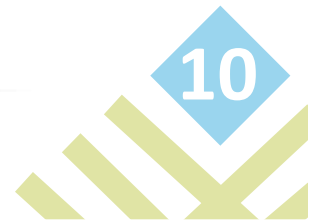


10.9 Planned Unit Development Districts

- A. **Applicability:** This Article is applicable to new Planned Unit Development (PUD) District proposals and to any proposed amendment to an existing Planned Unit Development that would affect either the text of the PUD District Ordinance or the Ordinance's referenced exhibits.
- B. **Required Approvals:** A Planned Unit Development District requires the following approvals:
1. Ordinance and Concept Plan (collectively, "PUD District Ordinance") (see also [Article 5.6 Planned Unit Development \(PUD\) District](#))
 2. Development Plan (see also [Article 10.7 Development Plan Review](#)) / Subdivision Approval (see also [Article 10.12 Subdivision](#))
 - a. Overall Development Plan / Primary Plat
 - b. Detailed Development Plan / Secondary Plat
- C. **PUD District Ordinance:**
1. **Application Procedures:**
 - a. **Pre-Filing Conference:** A pre-filing conference with the Department is required prior to the filing of any PUD District application. A draft of the proposed PUD District Ordinance is required for the pre-filing conference and the Applicant is encouraged to incorporate the Department's comments into the proposal prior to filing the application.
 - b. **Who May File:** Applications may be filed by a petition signed by the Property Owners of the real estate involved in the petition, or the Property Owner's authorized agent. If an authorized agent, then a consent form signed by the Property Owner and notarized shall accompany the application.
 - c. **Filing Deadline:** Applications shall be filed in accordance with the Schedule of Meeting and Filing Deadlines. The Applicant shall be responsible for distributing a copy of the application and related materials to members of the Technical Advisory Committee.
 - d. **Forms of Filing:** An Applicant shall submit a completed application to the Department on forms provided by the Department with documentation and supporting information as set forth in this Article and [Article 5.6 Planned Unit Development \(PUD\) District](#). The number of copies of all petitions and supporting documentation required to be filed shall be as established by the Department.
 - e. **Docketing by Department:** Each filed application shall be reviewed for completeness. Applications which are determined to be in proper form pursuant to the guidelines established by the Department shall be numbered and docketed by the Department.
 - f. **Neighbor Meeting:** Applicants requesting approval of a PUD District Ordinance, and any amendments thereto, shall host a neighbors' meeting and submit a written report to the Department summarizing the meeting, prior to the Plan Commission public hearing. This

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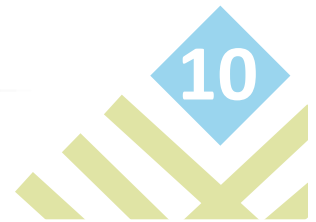


requirement may be waived by the Director. Applicants shall, at a minimum, invite to the neighbors' meeting those Interested Parties required to receive mailed notice of the Plan Commission public hearing.

- g. **Review and Approval:** After docketing, an application shall be reviewed and considered by the Plan Commission and Council in accordance with [Article 10.15 Zoning Map Changes \(Rezones\)](#).
2. **Effect of Approvals of PUD District Ordinance:** A PUD District Ordinance shall become effective after its approval by the Council and shall be recorded by the City in the Office of the Recorder of Hamilton County, Indiana. The Zoning Map shall be amended accordingly. The use and development of the property shall thereafter be governed by the PUD District Ordinance, subject to review and approval of subsequent permits and approvals as required by this Article and Ordinance, and any other regulatory processes which may be required prior to commencement of construction within the PUD District.
- D. **Development Plan Approval:** Overall Development Plan and Detailed Development Plan Review approval, as set forth in [Article 10.7 Development Plan Review](#), shall be required for all PUD Districts. Development Plans shall conform to the approved PUD District Ordinance and this Ordinance.
- E. **Permits:** No permit of any kind shall be issued for any purpose within a PUD District except in accordance with the approved Detailed Development Plan, and after acceptance by the City of all required guarantees for improvements pursuant to this Ordinance.
- F. **PUD District Ordinance Requirements:** PUD District Ordinances and supporting data shall include the following documentation. The Director, in its sole discretion, may, in writing, waive or relax any of the requirements listed which are not relevant or deemed unnecessary for a thorough review of the development.
 1. **PUD Ordinance:** The PUD District Ordinance shall follow a standard format adopted by the City for PUD District Ordinances. See also [Article 5.6 Planned Unit Development \(PUD\) District](#).
 2. **Concept Plan:** A drawing of the PUD District ("Concept Plan") shall be included at a scale not less 1"=100', or at a scale as otherwise deemed appropriate by the Director.
 - a. **General Concepts:** The Concept Plan shall show in general terms the following: major circulation; generalized location and dimensions of buildings, structures, and Parking Areas; Open Space areas; recreation facilities; and other details to indicate the character of the proposed development.
 - b. **Detailed Concepts:** The Concept Plan shall include in detailed terms the following:
 - i. A site location map showing the project location and other development projects in the vicinity.
 - ii. The name of the development, with the words "Concept Plan".

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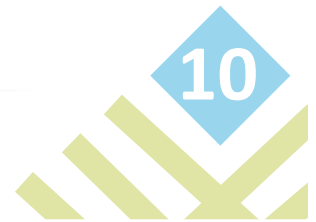
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- iii. Boundary lines and acreage of each land use component.
 - iv. Existing easements, including location, width and purpose.
 - v. Existing land use on abutting properties.
 - vi. Other conditions on the site and adjoining land: topography (at 10-foot contours) including any embankments or retaining walls; use and location of buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision.
 - vii. Existing Streets on and adjacent to the tract, including Street name, Right-of-way width, walks, pathways and bridges and other drainage structures.
 - viii. Proposed public improvements: collector and arterial Streets and other major improvements planned by the public for future construction on or adjacent to the tract.
 - ix. Existing utilities on the tract.
 - x. Any land on the tract within the floodplain as depicted on the Flood Insurance Rate Maps dated March 11, 1983, and as subsequently amended.
 - xi. Other conditions on the tract, including water courses, wetlands, sinkholes, wooded areas, existing structures and other significant features such as significant isolated trees.
 - xii. Existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
 - xiii. Map data such as north point, graphic scale and date of preparation.
3. Written Statement of Character: A written statement of character of the PUD District shall provide an explanation of the character of the PUD District and the reasons why it has been planned to take advantage of the flexibility of these regulations. The written statement shall include:
- a. A specific explanation of how the proposed PUD District meets the objectives of all adopted land use policies which affect the land in question.
 - b. Development phasing indicating:
 - i. Phases in which the project will be built, including the area, density, use, public facilities, and Open Space to be developed with each phase. Each phase shall be described and mapped.
 - ii. Projected dates for beginning and completion of each phase.
 - c. General details of the proposed uses:
 - i. Residential Uses: gross area, architectural concepts (narrative, sketch, or representative photo), number of units for each residential component;
 - ii. Nonresidential Uses: specific nonresidential uses, including gross areas, architectural concepts (narrative, sketch, or representative photo), and Building Heights.
 - d. Preliminary feasibility reports for the infrastructure and facilities, including:
 - i. Streets

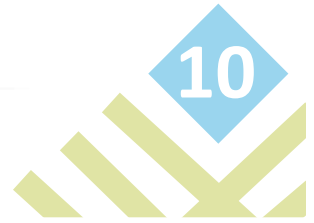
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- ii. Street lighting
 - iii. Sidewalks and pathways
 - iv. Sanitary sewers
 - v. Water supply system
 - vi. Other utilities
 - vii. Storm water management
 - viii. Schools
4. Development Amenities and Open Space: The PUD District Ordinance must include a statement of recreational amenities and open space. Such statements shall designate and convey active and/or passive recreational areas in accordance with the following:
- a. Recreational amenities and open space shall be allocated to the property in proportion to the uses assigned in the PUD District and shall be located within reasonable walking distance to those uses; however, the recreational amenities need not be located in proximity to the use in the case of preservation of existing features.
 - b. If the PUD District Ordinance provides for development in stages, then amenities and open space shall be provided in each stage of the PUD District in proportion to that stage, unless otherwise indicated and approved in the PUD District Ordinance.
 - c. Amenities shall be conveyed in one of the following forms:
 - i. To a municipal or public corporation;
 - ii. To a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the PUD District. All conveyances hereunder shall be structured to insure that the grantee has the obligation and the right to effect maintenance and improvement of the amenities and that such duty of maintenance and improvement is enforced by the owners and tenants of the PUD District; or
 - iii. To owners other than those specified in subsections (i) and (ii) above, and subject to restrictive covenants describing and guaranteeing the amenities and its maintenance and improvement, running with the land for the benefit of residents of the PUD District or adjoining property owners or the community, or any combination of these.
5. Traffic Impact Study: A Traffic Impact Study may be required to be conducted at the discretion of the Director, the Department of Public Works Director, or the Plan Commission. If a Traffic Impact Study is required, then it shall be prepared by a registered professional engineer and shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, an Applicant shall meet with the Department to determine the appropriate scope for the study.
6. Additional Materials: The Department shall inform the Applicant in writing of any additional information, documents or data deemed necessary to support a thorough review of the proposed development.

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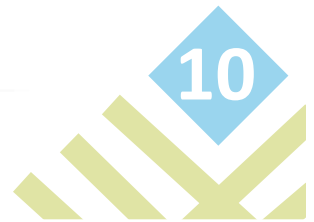
G. PUD District Ordinance Amendments:

1. Changes that shall require an amendment to a PUD District Ordinance include changes which alter the concept or intent of the initial PUD District, as determined by the Director, which shall include but are not limited to:
 - a. Increases in density or intensity.
 - b. Changes in the proportion or allocation of land uses.
 - c. Changes in the list of approved uses.
 - d. Changes in the locations of uses outside of the parameters set forth by the PUD District Ordinance.
 - e. Changes in functional uses of Open Space, where such change constitutes an intensification of use of the Open Space.
 - f. Changes in the final governing agreements where such changes conflict with the Concept Plan approval.
2. The procedure for amending an approved PUD District Ordinance (“text amendment”) shall be the same as the procedure for the adoption of the initial PUD District Ordinance as set forth herein.

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10.10 Sign Permits

- A. **Cross-Reference:** See [Article 6.17 Sign Standards](#) for sign standards.
- B. **Application:** Applications for a sign permit shall be on forms published by the Department and include appropriate filing fees and documentation set forth herein.
- C. **Supporting Documentation:** Applications shall be accompanied by the following information. The Director may, in its sole discretion, waive or relax any of the requirements listed which are not relevant or deemed unnecessary for a thorough review of the application.
1. Name, address, and telephone number of Applicant or business.
 2. Site address.
 3. Scale, north arrow and date.
 4. A site plan indicating the location of: (i) any building upon which a sign is to be mounted, with the location of the signs indicated; and (ii) any existing or proposed monument signs.
 5. A square footage calculation of any proposed sign(s) and the Sign Plane on which sign is proposed to be located, as well as the location and square footage of all existing on-site sign(s).
 6. Elevation and a true color rendering or other realistic depiction of the proposed sign, including size, materials, color and dimensions.
 7. Illumination details for proposed signs, including the timing of sign illumination and method of control of such illumination.
 8. Indication of sign type(s) as defined by this Ordinance.
 9. Written consent of the Property Owner on which the sign is to be erected if the Applicant is not the Property Owner.
 10. Temporary and special event sign displays shall provide a schedule for sign displays which indicate the dates and duration of the sign displays.
 11. Any other information necessary to support a thorough review of the project and as requested in writing by the Director.
- D. **Effect of Sign Permit Issuance:** A sign permit issued under the provisions of this Ordinance shall not be deemed to constitute permission or authorization to maintain an unlawful sign nor shall it be deemed as a defense in an action to remove an unlawful sign. See also [Article 9.6 Nonconforming Signs](#).
- E. **Certificate of Compliance:** Upon installation, all signs shall be inspected for compliance and require a Certificate of Compliance (see also [Article 10.4 Certificate of Compliance](#)).
- F. **Expiration:** A sign permit shall become null and void if work has not been completed within one hundred and eighty (180) days of the date the permit is issued.

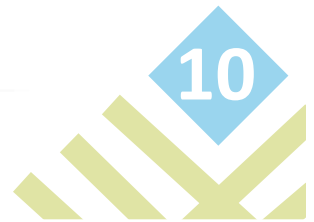
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10.11 Special Exceptions

- A. **Permitted:** The Board of Zoning Appeals may approve a use listed as a Special Exception in [CHAPTER 13: USE TABLE](#), and their Accessory Buildings and uses, in accordance with the procedures set forth in this Article, and other regulations applicable to the Zoning District in which the subject property is located.
- B. **Purpose:** A Special Exception is a use that requires a greater degree of scrutiny and review because of its potential adverse impact upon the immediate neighborhood and the community. The Board reviews a Special Exception and its characteristics and impacts to determine its suitability in a given location for the Zoning District in which it is permitted. The determination of whether the Special Exception is approved shall be contingent upon: (i) the Special Exception meeting the standards of this Ordinance and those standards as set forth in this Article; and (ii) the Board weighing, in each case, the public need and benefit against the local impact, giving effect to the proposals of the Applicant for ameliorating adverse impacts through special site planning and development techniques and contributions to the provisions of public improvements, sites, right-of-way and services.
- C. **Procedures:**
1. **Application:** Applications shall be made in writing on forms prescribed by the Department with documentation and supporting information the Department determines is necessary to assure compliance with this Ordinance.
 2. **Action by the Director:** The Director shall review a filed application for completeness. All applications which are determined to be in proper form shall be docketed by the Department for a hearing by the Board of Zoning Appeals.
 3. **Investigation of Application:** The Technical Advisory Committee may review any Special Exception prior to the Board's consideration.
 4. **Public Notice:** Notification for the scheduled public hearing regarding the application shall be completed consistent with the Schedule of Meeting and Filing Dates and the Rules and Procedures of the Board.
 5. **Public Hearing:** The Board will then, in a public hearing scheduled consistent with the Schedule of Meeting and Filing Dates, review the particular facts and circumstances of each application and supporting information.
 6. **Board Decision:** Following the public hearing, the Board shall direct the Director to either: (i) reject the application; or (ii) approve, or approve with conditions, the application if the Board finds adequate evidence is shown that the Special Exception meets the criteria set forth herein.
- D. **Review Criteria:** A Special Exception may be approved by the Board only upon a determination in writing that the Special Exception at the proposed location meets the following:

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1. The establishment, maintenance, or operation of the Special Exception will not be detrimental to or endanger the public health, safety, morals, or general welfare.
 2. The Special Exception will be designed, constructed, operated, and maintained so as to: (i) not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted; (ii) not substantially diminish and impair property value within the neighborhood; (iii) be harmonious and appropriate in appearance with the existing or intended character of the immediate vicinity; and (iv) not change the essential character of the area.
 3. The establishment of the Special Exception will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the Zoning District.
 4. Adequate public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools have been or are being provided and the Special Exception will not result in excessive additional requirements at public expense for such public facilities and services.
 5. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion and have vehicular approaches are designed as not to create an interference with traffic on surrounding rights-of-way.
 6. The Special Exception will be harmonious with and in accordance with the objectives of the Comprehensive Plan.
 7. The Special Exception will be located in a Zoning District where such use is permitted and that all other requirements of the Zoning District and this Ordinance, and as may be applicable to such use, will be met.
- E. **No Presumption of Approval:** The listing of a Special Exception as a permitted use does not constitute an assurance or presumption that such Special Exception will be approved. Rather, each Special Exception shall be evaluated on an individual basis, in relation to its compliance with the standards and conditions set forth herein, in order to determine whether approval of the Special Exception is appropriate at the particular location and in the particular manner proposed.
- F. **Limitations of Approval:** The approval of a Special Exception by the Board shall be deemed to authorize only that particular use at that particular location for which the approval was granted. Except when otherwise provided by the Board's approval of the Special Exception, a Special Exception shall be deemed to relate to, and be for the benefit of, the use and Lot in question, rather than the Property Owner or operator of such use or Lot.
- G. **Effect of Approval:** The approval of a Special Exception by the Board shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for such permits or

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approvals as may be required, which may include but is not limited to approval of Development Plan, Improvement Location Permit, Building Permit and a Certificate of Occupancy.

- H. **Existing Use:** An existing use which is listed herein as a Special Exception, and which is located in a Zoning District in which such Special Exception may be permitted, is a conforming use, providing such use meets the minimum Lot Area requirements set forth in the respective Zoning District. Any expansion of such Special Exception involving the enlargement of buildings, structures, and land area devoted to such use, shall be subject to the requirements and procedures described in this Ordinance.
- I. **Conditions:** In granting a Special Exception, the Board may prescribe conditions and limitations concerning the use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this Ordinance upon the premises benefited by a Special Exception as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Any conditions prescribed by the Board shall be recorded in the Office of the Recorder of Hamilton County, Indiana. Violation of any such condition or limitation shall be a violation of this Ordinance and shall constitute grounds for revocation of the Special Exception or related Improvement Location Permit, pursuant to [CHAPTER 11: ENFORCEMENT & PENALTIES](#).

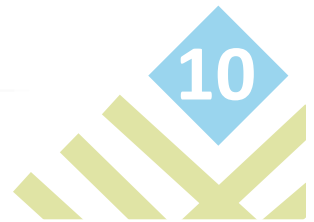
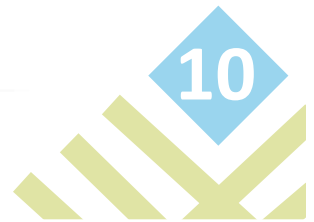


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10.12 Subdivision

- A. **Applicability:** This Article establishes the process for the subdivision of land in accordance with [CHAPTER 7: SUBDIVISION REGULATIONS](#).
- B. **Approval Process:**
1. **Major Subdivision:** The approval of a Major Subdivision is a two step process that includes the approval of a Primary Plat and the approval of a Secondary Plat, as set forth herein. The approval or disapproval of a Primary Plat is hereby delegated to the Plan Commission. After a Primary Plat has been approved, a property is eligible for Secondary Plat approval. The approval or disapproval of a Secondary Plat is hereby delegated to the Director.
 2. **Minor Subdivision:** The approval of a Minor Subdivision is a one step process that includes the approval of a “Minor Subdivision Plat” depicting the details of a Secondary Plat, as set forth herein. The approval or disapproval of a Minor Subdivision is hereby delegated to the Director and shall follow the process and requirements set forth herein for a Secondary Plat. This type of subdivision may be used one time for the subdividing of a parent parcel. Additional subdivisions of a parent parcel shall require approval as a Major Subdivision.
- C. **Requirement for Development Plan Approval:** Approval shall not be granted to any Primary Plat unless an Overall Development Plan has been approved prior to or contemporaneous with the Primary Plat. Approval shall not be granted to any Secondary Plat unless a Detailed Development Plan has been approved prior to or contemporaneous with the Secondary Plat. See also [Article 10.7 Development Plan Review](#).
- D. **Application Procedures:**
1. **Pre-Filing Conference:** A pre-filing conference with the Department is required prior to the filing of any Primary or Secondary Plat application. The Applicant is encouraged to incorporate the Department’s comments into the design of the project prior to filing the application.
 2. **Who May File:** Applications may be filed by a petition signed by the Property Owners of the real estate involved in the petition, or the Property Owner’s authorized agent. If an authorized agent, then a consent form signed by the Property Owner and notarized shall accompany the application.
 3. **Filing Deadline:** Applications shall be filed in accordance with the Schedule of Meeting and Filing Deadlines. The Applicant shall be responsible for distributing a copy of the application and Primary and/or Secondary Plat to members of the Technical Advisory Committee.
 4. **Forms of Filing:** An Applicant shall submit a completed application to the Department on forms provided by the Department with documentation and supporting information as set forth in this Article. The number of copies of all petitions and supporting documentation, including final

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copies for signatures, required shall be as established by the Department.

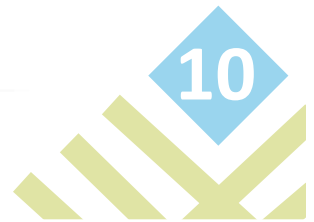
5. **Specifying Waiver Request:** All Primary Plats shall specify and detail any waivers requested pursuant to [Article 7.3 Principles and Standards of Design](#). Any waiver of standard shall not be considered unless specifically requested and presented to the Plan Commission for its consideration, even if it is otherwise identified on the Primary Plat.

E. Primary Plat Approval:

1. **Phasing:** A Primary Plat may include all or only a part of a larger overall development (e.g., Planned Unit Development, Nonresidential Center); however, a Primary Plat shall include, at a minimum, the entire parent tract being subdivided, unless otherwise deemed unnecessary by the Director or Plan Commission. The purpose of this requirement is to avoid the creation of a remainder parcel(s) that does not comply with this Ordinance or that does not allow for the orderly development of the remainder parcel.
2. **Docketing by Department:** Each Primary Plat application filed in accordance with this Article shall be reviewed for completeness. All Primary Plat applications determined to be in proper form pursuant to the guidelines established by the Department shall be numbered and docketed by the Department for a public hearing by the Plan Commission.
3. **Investigation of Petitions:**
 - a. The Technical Advisory Committee may review any Primary Plat prior to the Plan Commission's consideration.
 - b. The Department may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Primary Plat, together with a recital of surrounding land use and public facilities available to service the area, or other pertinent facts. The report may also contain opinions of the Department concerning the proposal contained in the Primary Plat and a report from members of the Technical Advisory Committee. A copy of such statement shall be made available to the Applicant and all remonstrators of record, if any.
4. **Public Hearing:** A public hearing by the Plan Commission, in accordance with the Schedule of Meeting and Filing Dates, shall be required for any Primary Plat and notification for the scheduled public hearing shall be completed consistent with the requirements of the Rules of Procedure of the Plan Commission.
5. **Plan Commission Action:** The Plan Commission will then hold the public hearing and review the application and required information and take action on the petition in accordance with this Ordinance, Indiana law, and the Rules of Procedure of the Plan Commission.
6. **Effect of Approval:** Approval of a Primary Plat shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing

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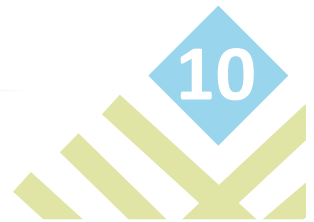
and processing of applications for such permits or approvals as may be required, which may include but are not limited to approval of a Secondary Plat, Detailed Development Plan, Improvement Location Permit, Building Permit and a Certificate of Occupancy.

F. Secondary Plat Approval:

1. Phasing: A Secondary Plat may include all or only a part of the Primary Plat which has received approval; however, a Secondary Plat shall include, at a minimum, the entire parent tract being subdivided.
2. Time Limitation: An Applicant may submit an application for Secondary Plat approval within the time provided for appeal under [I.C. 36-7-4-708](#); however, approval of a Secondary Plat shall not be granted until thirty (30) days after the approval of a Primary Plat.
3. Docketing by Department: Each Secondary Plat application filed in accordance with this Article shall be reviewed for completeness. All Secondary Plat applications determined to be in proper form pursuant to the guidelines established by the Department shall be numbered and docketed by the Department.
4. Investigation of Petitions: The Technical Advisory Committee may review any Secondary Plat prior to approval. The Department shall, based upon the facts presented for review, notify the Applicant in writing what revisions, changes, or further changes in the application are needed for approval.
5. Approval: Following the Applicant's submittal of revised copies of the Secondary Plat, the Department shall approve the Secondary Plat if it complies with this Ordinance and is substantially consistent with the approved Overall Development Plan. If the Secondary Plat is disapproved, then the Director shall set forth the reasons accordingly in the Department records and provide the Applicant with a copy.
6. Effect of Approval: Approval of a Secondary Plat shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for such permits or approvals as may be required, which may include but are not limited to approval of an Improvement Location Permit, Building Permit and a Certificate of Occupancy.
7. Signing of Plat: This subsection applies to each Secondary Plat. Unless otherwise approved by the Director or Public Works Department, a Secondary Plat shall not be signed (see also [Article 7.4 Plat Certificates and Deed of Dedication](#) for required signatures) until: (i) streets, curbs, gutters, sanitary sewers, fire hydrants, storm sewers and like infrastructure have been constructed and inspected in accordance with the City's Construction Standards and financial sureties for the maintenance of all public improvements are secured in accordance with this Ordinance; or (ii) financial sureties are secured assuring the

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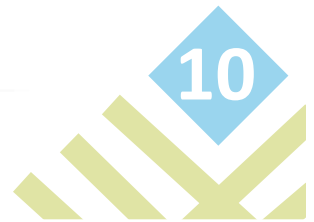
installation and maintenance of all public improvements in accordance with applicable ordinances.

8. **Recording of Secondary Plat:** No Secondary Plat, or amendment thereto, of a subdivision shall be recorded until the plat has been approved and signed in accordance with this Ordinance. Upon approval, the Applicant shall file the signed Secondary Plat for recording in the Office of the Recorder of Hamilton County, Indiana, as required by law, and shall provide the Department with a recorded copy. The recorded copy shall remain on file in the office of the Department.
- G. **Secondary Plat Amendments (“replats”):** Amendments to a recorded Secondary Plat shall be processed and reviewed in the same manner as a Secondary Plat application.
- H. **Vacation of Plats:** The procedure to vacate a recorded Secondary Plat shall be as set forth by Indiana Code (see [I.C. 36-7-4-711](#)). The vacation of a Secondary Plat shall not be used to vacate platted rights-of-way, which shall be vacated as set forth in Indiana Code (see [I.C. 36-7-3-12](#)), nor shall it be used to vacate platted easements, which shall be vacated as set forth in Indiana Code (see [I.C. 36-7-3-16](#)).
- I. **Primary Plat Documentation and Supporting Information:** A Primary Plat application shall include the following information:
 1. **Location Map:** (which may be prepared by indicating the data by notations on available maps) showing:
 - a. Subdivision name and location.
 - b. Any street related to the subdivision.
 - c. Title, scale, north point and date.
 - d. Adjacent property land uses and Property Owners’ names.
 2. **Scale:** A Primary Plat shall be drawn to a scale of fifty (50) feet to one (1) inch, or one hundred (100) feet to one (1) inch; provided, however, that if the resulting drawing would be over thirty-six (36) inches in shortest dimension, then a scale as determined by the Director may be used.
 3. **Primary Plat:** The following basic information shall be shown on the Primary Plat, which shall be prepared by a land surveyor or planner:
 - a. Proposed name of the subdivision.
 - b. Names and addresses of the owner, owners, land surveyor or land planner.
 - c. Title, scale, north point and date.
 - d. Streets on and adjoining the site of the proposed subdivision, showing the names (which shall not duplicate other names of streets in the community, unless extensions of such streets) and including roadway widths, approximate gradients, types and widths of pavement, curbs, sidewalks, cross-walks, tree plantings and other pertinent data.
 - e. Easements (locations, widths and purposes).

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- f. Statement concerning the location and approximate size or capacity of utilities to be installed.
 - g. Layout of Lots (showing dimensions, numbers and square footage);
 - h. Parcels of land proposed to be dedicated or reserved for schools, parks, playgrounds or other public, semi-public or community purposes.
 - i. Contours at vertical intervals of two (2) feet if the general slope of the site is less than ten percent (10%) and at vertical intervals of five (5) feet if the general slope is greater than ten percent (10%).
 - j. Tract boundary lines showing dimensions, bearings, angles, and references to section, township and range lines or corners.
 - k. Building setback lines.
 - l. Legend and notes.
 - m. Drawing indicating the proposed method of drainage for storm sewers and other surface water drainage.
 - n. Other features or conditions which would affect the subdivision favorable or adversely.
 - o. A National Cooperative Soil Survey Map showing the soil limitations based upon the intended usage of the development land.
 - p. A statement from County departments, State highway departments, or the Public Works Department concerning rights-of-way, road improvements, roadside improvements, roadside drainage, entrances, culvert pipes, and other specifications deemed necessary.
 - q. If private sewage systems, then a statement from the County Health Officer whether private septic system can be used on the property.
 - r. If legal drain is involved, then a statement from the County Drainage Board or County Surveyor's Office concerning easements, right-of-way, permits, etc.
 - s. If floodplain is involved, then a statement from the Indiana Department of Natural Resources, Division of Water, concerning construction in floodway, including floodplain high water marks, etc.
4. **Covenants and Restrictions:** The Plan Commission or Director may request a description of the proposed or recorded protective covenants or private restrictions if they are to be cross-referenced or incorporated on the plat of the subdivision or if they otherwise establish or grant rights related to the plat (e.g., easements). Covenants and restrictions may not independently lessen any requirement of this Ordinance or revise, alter, or change in any way any aspect of an approved plat without approval of the Director or Plan Commission.
- J. **Secondary Plat Documentation and Supporting Information:** A Secondary Plat application shall include and meet the following specifications:
1. **Scale:** The original drawing of a Secondary Plat shall be drawn to a scale of fifty (50) feet to one (1) inch. A scale of one hundred (100) feet to one (1) inch may be used if necessary to make the drawing no larger than eighteen (18) by twenty-three (23) inches in order that the plat may be inserted in the plat books in the Office of the Recorder of Hamilton

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County, Indiana, without the necessity of folding said plat.

2. **Secondary Plat:** The following basic information shall be shown on the Secondary Plat, which shall be prepared by a land surveyor or planner:
 - a. Proposed name of the subdivision.
 - b. Names and addresses of the owner, owners, land surveyor or land planner.
 - c. Title, scale, north point and date.
 - d. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one (1) foot in five thousand (5,000) feet.
 - e. Accurate distances and direction to the nearest established street corners or official monuments. Reference corners shall be accurately described on the plan.
 - f. Accurate locations and names of all existing and recorded streets intersecting the boundaries of the tract.
 - g. Accurate metes and bounds description of the boundary.
 - h. Source of title to the land to be subdivided as shown by the books of the Office of the Recorder of Hamilton County, Indiana.
 - i. Complete curve notes for all curves included in the plan.
 - j. Street lines and street names with accurate dimensions in feet and hundredths of feet, with angles to street and lot lines.
 - k. Lot numbers and dimensions.
 - l. Accurate locations of easements and any limitations on such easements (see also [Article 8.3 Easement Standards](#)).
 - m. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
 - n. Building setback lines and dimensions.
 - o. Location, type, material and size of all monuments and lot markers.
 - p. Plans and specifications for the improvements required in this Ordinance, if not otherwise detailed on the corresponding Detailed Development Plan (see also [Article 10.7 Development Plan Review](#)).
 - q. Plat certificates and deeds of dedication, as set forth in [Article 7.4 Plat Certificates and Deed of Dedication](#).
3. **Surety Requirement:** In conjunction with the approval of a Secondary Plat, the Applicant shall provide financial surety for all public improvements in accordance with this Ordinance.
4. **Covenants and Restrictions:** The Plan Commission or Director may request a description of the proposed or recorded protective covenants or private restrictions if they are to be cross-referenced or incorporated on the plat of the subdivision or if they otherwise establish or grant rights related to the plat (e.g., easements). Covenants and restrictions may not independently lessen any requirement of this Ordinance or revise, alter, or change in any way any aspect of an approved plat without approval of the Director or Plan Commission.

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10.13 Temporary Use and Events Permits

- A. **Application:** Applications for a temporary use and/or event permit, pursuant to [Article 6.18 Temporary Uses and Events](#), shall be made in writing on forms provided by the Department and shall include the appropriate filing fees and documentation set forth herein.
- B. **Filing Deadline:** In order to allow time for the Department to review and coordinate reviews with the Police and Fire Departments, applications shall be made to the Department at least thirty (30) days prior to the scheduled event.
- C. **Supporting Documentation:** Applications shall include the following, unless otherwise determined by the Director to be unnecessary or not relevant for a thorough review of the application:
1. A written statement describing the requested use, operations plan, traffic control and the proposed time period.
 2. A plot plan or sketch (not to exceed 11" x 17") that illustrates:
 - a. The property lines of the site.
 - b. Adjacent uses and Zoning Districts.
 - c. Location of fire hydrants.
 - d. Existing and proposed buildings or structures.
 - e. Boundaries of proposed sales/activity area.
 - f. Proposed lighting and method of power.
 - g. Parking calculations based upon standards set within this Ordinance.
 - h. Proposed traffic circulation.
 - i. Location and size of proposed signs.
 - j. Location and method of trash disposal.
 3. Any other information deemed necessary by the Department.
 4. Proof of ownership, or if the Applicant is not the owner of the land, written permission from the property owner for said use/activity.
 5. If an Improvement Location Permit or Encroachment Permit is required, then those permit applications shall be submitted with the Temporary Use/Event Permit application.
 6. Proof that reasonable liability insurance is carried depending on the use/activity. The City and Township shall be added as an additional insured at the Applicant's expense.
 7. If alcohol is sold or consumed, then proof of appropriate permits from the State of Indiana, Alcohol and Tobacco Commission is required. No aspect of the Temporary Event/Use or Structure permit shall exempt any entity or individual from all applicable State laws regarding the serving of alcoholic beverages.
 8. If cooking or eating is involved in a temporary event, outdoor café or some other eating area, then proof of review and approval from the County Health Department shall be required with the application.

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D. **Permit Fees:**

1. The application fee for a Temporary Event/Use or Structure permit shall be pursuant to the Fee Schedule. Fees for any Temporary Event/Use or Structure application that is denied, shall be nonrefundable.
2. Application fees are separate from and shall not be applied to any other permit or deposit fee required (e.g., Improvement Location Permit, Encroachment Permit). Such fees shall be paid directly to the respective Department requiring such fees.
3. Separate fees or permits which may be required by the Parks and Recreation Department for events located on public park property, and those fees shall be paid directly to the Parks and Recreation Department.

E. **Penalties:** Temporary Events/Uses or Structures shall be subject to [CHAPTER 11: ENFORCEMENT & PENALTIES](#). In addition, the following shall apply:

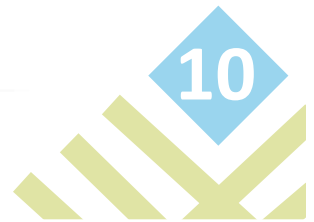
1. Any person or entity that violates any part of the provisions of this Ordinance regarding Temporary Event/Use or Structures, shall have the Temporary Event/Use or Structure permit revoked for the event. If the violation is abated, then a permit may be re-instated after a review by the Director, Chief of Police, Fire Marshal or their designees.
2. Any person or entity that has a Temporary Event/Use or Structure permit revoked more than once in a one (1) year period shall be prohibited from applying for any Temporary Use/Event permit for one (1) year.
3. In the event of a public safety emergency, the Mayor, Chief of Police, Fire Marshal or their designee, may revoke the Temporary Event/Use or Structure permit. If a permit is revoked for public safety reasons, then the person and entity that were issued the permit may not apply for any Temporary Use/Event permits for a period of two (2) years.
4. Continued non-compliance after the revocation of a Temporary Event/Use or Structure permit necessitating additional enforcement action on the part of the City may result in the assessment of fines, fees, attorney's fees and court costs as provided for in [CHAPTER 11: ENFORCEMENT & PENALTIES](#).

F. **Appeal:** Any decision by the Director to deny a Temporary Event/Use or Structure permit may be appealed pursuant to [Article 10.3 Appeals of Administrative Decisions](#).

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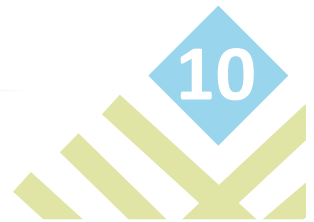
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10.14 Variances

- A. **Authority:** In no case shall any variance to the terms of this Ordinance be authorized without the approval of the Board. Further, no decisions on previous applications shall serve to set a precedent for any other application before the Board. The procedure set forth in this Article shall apply to all variance of development standard and variance of use applications.
- B. **Application:** The Applicant shall submit a variance application, affidavit and consent of Property Owner (if the Property Owner is someone other than the Applicant), a copy of the deed for the property involved, the required filing fee, and required supporting information. Supporting information shall include, but not be limited to, the following:
1. **Site Plan:** A site plan shall be signed and dated. The site plan shall be drawn to scale and/or fully dimensioned to the satisfaction of the Director and clearly show the entire layout of the property with all features relevant to the variance request.
 2. **Statement of Intent:** A statement of intent to the Board describing the details of the variance being requested and stating how the request is consistent with the required findings of fact. The statement should include any written commitments being made by the Applicant.
 3. **Deed:** A copy of the most current property deed.
- C. **Public Notice:** Notification for the scheduled public hearing regarding the variance request shall be completed consistent with the Schedule of Meeting and Filing Dates and the Rules and Procedures of the Board.
- D. **Public Hearing:** The Board will then, in a public hearing scheduled consistent with the Schedule of Meeting and Filing Dates, review the variance application and required supporting information.
1. **Representation:** The Applicant and/or any representative of the Applicant must be present at the public hearing to present the petition and address the required findings of fact.
 2. **Testimony:** The Board shall consider a report from the Department and testimony from the Applicant, remonstrators, the public, and interested parties at the hearing.
 3. **Procedures:** The presentation of reports and testimony and all other aspects of the public hearing shall be consistent with the Rules and Procedures of the Board.
 4. **Possible Action:** The Board may approve, approve with conditions, deny, or continue the application in accordance with [I.C. 36-7-4-918.4](#).
- E. **Denial:** Applications that are denied shall not be eligible for consideration again by the Board for a period of twelve (12) months from the date of denial.
- F. **Continuances:** The application may be continued by the Board based on a request by the Director, Applicant, remonstrator, or interested party; an

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indecisive vote; or a determination by the Board that additional information is required prior to action being taken on the request. The continuing of all applications and any potential additional legal notice shall be consistent with the Rules and Procedures of the Board.

- G. **Decision Criteria:** In taking action on all variance requests, the Board shall use decision criteria to approve or deny variances consistent with the requirements of Indiana Code as set forth below:
1. **Variances of Use:** A variance of land use may be approved only upon a determination that:
 - a. The use will not be injurious to the public health, safety, morals, and general welfare of the community.
 - b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
 - c. The need for the variance arises from some condition particular to the property involved.
 - d. The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought.
 - e. Does not interfere substantially with the Comprehensive Plan.
 2. **Variances of Development Standards:** A variance of development standard may be approved only upon a determination that:
 - a. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
 - b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
 - c. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property.
- H. **Commitments:** The Board may require the owner of the property to make written commitments concerning the use or development of the property. Such commitments shall be recorded in the Office of the Recorder of Hamilton County, Indiana, and a copy of the recorded commitments shall be provided to the Department for inclusion in the petition file at the time of application for a permit.
- I. **Conditions:** The Board may impose such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this Ordinance upon any Lot benefited by a variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject Lot or upon public facilities and services. Such conditions shall be expressly set forth in the order granting the variance.
- J. **Effect of Approval:** Approval of a variance shall not authorize the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for such permits or approvals as may be required, which may include but are not limited to approval of a Primary

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or Secondary Plat, an Overall or Detailed Development Plan, Improvement Location Permit, Building Permit and/or a Certificate of Occupancy.

- K. **Acknowledgement of Variance:** Approval of a variance shall be memorialized in an acknowledgement of variance instrument prepared by the Department. The acknowledgement shall: (i) specify the granted variance and any commitments made or conditions imposed in granting of the variance; (ii) be signed by the Director, Property Owner and Applicant (if Applicant is different than Property Owner); and (iii) be recorded against the subject property in the Office of the Recorder of Hamilton County, Indiana. A copy of the recorded acknowledgement shall be provided to the Department prior to the issuance of any subsequent permit or commencement of uses pursuant to the granted variance.
- L. **Compliance and Violations:** No permit shall be issued which does not comply with an approved variance, conditions of approval, or commitments. Violations of an approved variance, conditions of approval or commitments shall constitute grounds for revocation of the variance.

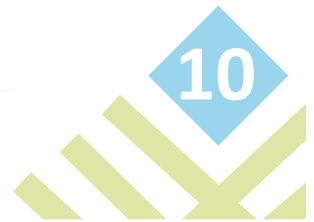
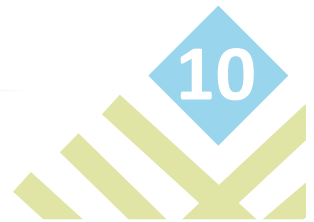


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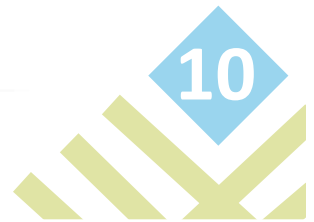


10.15 Zoning Map Changes (Rezones)

- A. **Applicability:** This Article shall apply to all petitions regarding a request to amend the Zoning Map.
- B. **Initiation:** Proposals to amend the Zoning Map may be initiated by either the Plan Commission, the Council, or through an application signed by Property Owners of at least fifty percent (50%) of the land involved.
1. **Legislative Body Initiation:** The Department shall prepare the application for Zoning Map amendment if either the Plan Commission or Council has initiated the application. The Director shall serve as the representative of the Applicant for such proposals.
 2. **Property Owner Initiation:** Any Property Owner(s) requesting a Zoning Map amendment shall be the Applicants and assume responsibility for preparing application materials.
- C. **Application Procedures:**
1. **Pre-Filing Conference:** A pre-filing conference with the Department is required prior to the filing of an application. The Applicant is encouraged to incorporate the Department's comments into the application prior to filing.
 2. **Filing Deadline:** Applications shall be filed in accordance with the Schedule of Meeting and Filing Deadlines. The Applicant may be responsible for distributing a copy of the application to members of the Technical Advisory Committee.
 3. **Forms of Filing:** An Applicant shall submit a completed application to the Department on forms provided by the Department with documentation and supporting information as set forth in this Article. The number of copies of all petitions and supporting documentation required to be filed shall be as established by the Department.
 4. **Application Requirements:**
 - a. **Consent Form:** If an Application is filed by a Property Owner's authorized agent, then a consent form signed by the Property Owner and notarized shall accompany the application.
 - b. **Deed:** A copy of the most current property deed.
 - c. **List of Adjoining Property Owners:** A list of adjoining property owners required to be served public notice pursuant to the Rules of Procedure of the Plan Commission, as obtained from the County.
 - d. **Supporting Document and Information:** Which should include but is not limited to the following:
 - i. A conceptual site plan showing all features relevant to the application.
 - ii. A vicinity map showing the use and zoning of all properties within five hundred (500) feet of the property subject to the change of zoning request.

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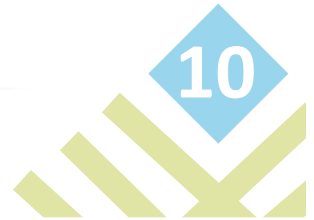
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- iii. A narrative stating the reasons for the change of zoning, including a detailed description of any proposed development for which the change of zoning is sought. The narrative should include any written commitments being made by the Applicant.
- D. **Council Introduction:** All applications which are determined to be in proper form pursuant to the guidelines established by the Department may, at the Director's or Council's discretion, be presented to the Council for introduction, prior to the Plan Commission's public hearing. The Council will then, in a meeting consistent with the adopted Schedule of Meeting and Filing Dates, hear an introductory presentation of the application and required supportive information.
- E. **Public Notice:** A public hearing by the Plan Commission shall be required and notification for the scheduled Plan Commission public hearing shall be completed consistent with the requirements of the Rules of Procedures of the Plan Commission.
- F. **Plan Commission Public Hearing:** The Plan Commission will then, in a public hearing scheduled consistent with the adopted Schedule of Meeting and Filing Dates, review the application and required supportive information.
1. **Representation:** The Applicant and/or any representative of the Applicant must be present at the public hearing to present the application and address any Plan Commission questions.
 2. **Testimony:** The Plan Commission shall consider a report from the Department and testimony from the Applicant, remonstrators, the public, and interested parties at the hearing.
 3. **Procedures:** The presentation of reports and testimony and all other aspects of the public hearing shall be consistent with the requirements of the Rules and Procedures of the Plan Commission.
 4. **Possible Action:** Following the public hearing, the Plan Commission may either forward the application to the Council with a favorable recommendation, an unfavorable recommendation, or no recommendation in accordance with Indiana Code; or continue the request to a subsequent Plan Commission meeting.
- G. **Continuances:** The application may be continued by the Plan Commission based on a request by the Director, Applicant, remonstrator, or interested party; an indecisive vote, or a determination by the Plan Commission that additional information is required prior to action being taken on the request. The continuing of all applications and any potential additional legal notice shall be consistent with the Rules and Procedures of the Plan Commission.
- H. **Certification:** The Plan Commission shall certify its recommendation to the Council in accordance with Indiana Code. The Department shall forward the Plan Commission certification, the application and all supporting information, any Department reports regarding the application, and an ordinance to the Council for its consideration.

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- I. **Council Action:** The Council will review the change of zoning application and materials forwarded from the Plan Commission and may either approve or deny the ordinance. If the Council fails to act within ninety (90) days of the Plan Commission's certification and the Applicant has not otherwise withdrawn its request or requested additional consideration by the Plan Commission, then the ordinance shall become effective or be defeated with the provisions of [I.C. 36-7-4-608](#). The Council may also seek modifications or additions to any written commitments permitted by this Ordinance.
- J. **Decision Criteria:** In reviewing the change of zoning application, the Plan Commission and Council shall give due consideration in accordance with Indiana Code.

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CHAPTER 10

10.16 Chapter Amendment Log

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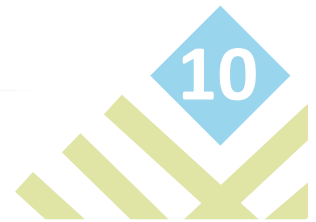


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11.1 Authority

The City of Westfield, including the Director, Council, Plan Commission, Board, Building Commissioner, Fire Marshal, and their delegates are designated to enforce the provisions, regulations, and intent of this Ordinance, in accordance with [I.C. 36-7-4-100, et. seq.](#), as amended.

11.2 Violation

Any sign or building, erected, raised, or converted, or land or premises used in violation of any provisions of this Ordinance or the requirements thereof, is hereby declared to be a common nuisance and as such may be abated in such manner as nuisances are now or may hereafter be abated under existing law.

11.3 Enforcement

Complaints made pertaining to this Ordinance may be investigated by the Director, the Building Commissioner, the Fire Marshal, and/or their designees. Also, any violations suspected by the Plan Commission, Council or Director shall be investigated by the Director. Action may or may not be taken depending on the findings. The degree of action will be at the discretion of the investigating person and should reflect what is warranted by the violation.

11.4 Penalty

- A. Any person who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any provisions of this Ordinance shall be subject to judgment for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. Penalties may be imposed in accordance with the Fee Schedule (see [Article 3.1 General Administration](#)).
- B. Any person who shall commence any land improvements or construction subject to the provisions contained in this Ordinance without first receiving the required approvals as designated, or obtaining a Building Permit, Improvement Location Permit and/or Certificate of Occupancy, shall pay twice the amount of fees as set forth herein.

11.5 Remedies

- A. The Plan Commission, Board, Director, or any designated enforcement official or any person or persons, firm or corporation, jointly or severally aggrieved, may issue a stop work order and shall advise the Property Owner of the sign, business, building, structure or premise in writing of a violation of this Chapter and specify a date for compliance. The written notice shall describe the violation, appeal process, and enforcement provisions including penalties that may be assessed.
- B. The Plan Commission, Board, Director, or any designated enforcement official or any person or persons, firm or corporation, jointly or severally aggrieved, may institute a suite of injunction in the circuit court of Hamilton County to restrain an individual or a government unit from violating the provisions of this Ordinance.

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CHAPTER 11



- C. The Plan Commission or the Board may also institute a suit for mandatory injunction directing any individual, a corporation or a governmental unit to remove a structure erected in violation of the provisions of this Ordinance.
- D. As an additional remedy to each of the above identified plaintiffs, if the plaintiff prevails the court may allow costs, expenses and reasonable attorney fees in any judgment so rendered.
- E. And other remedies provided for or allowed by Indiana law or City Code.

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12.1 Definitions

The general rules of construction as set forth in [Article 2.4 Interpretation & Application](#) shall apply. Words used in a special sense in this Ordinance are defined below. All other words shall have the meaning inferred from their context in this Ordinance or their ordinarily accepted definitions.

Abutting: Bordering or contiguous.

Accessory Use: A use incidental to and customarily associated with a use otherwise permitted and located on the same Lot or parcel.

Agricultural Processing: The use of land for activities involving a variety of operations on crops or livestock which may generate dust, noise, odors, pollutants, or visual impacts that could adversely affect adjacent properties. Example uses include, but are not limited to: slaughterhouses, mills, refineries, canneries, coffee roasting, food processing, granaries, grain processing, commercial hatcheries, poultry processing plants, fat rendering, manufacturing of commercial fertilizer, starch manufacturing, and milk processing plants or other treatment of agricultural products which changes the naturally grown product for consumer use.

Agricultural Uses: The use of land comprising an area of at least ten (10) contiguous acres, for farming, including plowing, tilling, cropping, installation of best management practices, seeding, cultivating, or harvesting for the production of food and fiber products (except commercial logging and timber harvesting operations); the grazing or raising of livestock (except in confined feed yards); dairy farming; aquaculture; sod production; horticulture; orchards; tree farms; and the cultivation of products as part of a recognized commercial enterprise; and related buildings. A Hobby Farm and Equestrian Facility are not Agricultural Uses for purposes of this Ordinance.

Agritourism Uses (or Agritainment Uses): An agriculturally-based operation or activity that brings visitors to an operational farm, and that may include, but is not limited to, uses and activities such as: pumpkin patches, Christmas tree sales, animal interaction exhibits (i.e. petting zoo, pony rides), apple or strawberry picking, seasonal or holiday activities (i.e. corn mazes, hay or wagon rides, straw piles, haunted houses), family-oriented activities (i.e. bounce houses, pedal cars, kiddie rides), creamery, vineyards, breweries, educational experiences or tours, limited retail sales of products not produced on-site (i.e. country store, activity ticket sales), related beverage or food sales (i.e. tasting facilities, lunch counters, dairy bar, refreshment or specialty food stands), and related ancillary uses and buildings.

Airport: Any area of land or use devoted to the take-off, landing and storing and servicing of aircraft, and any appurtenant areas designated, set aside, used, or intended for use for related buildings and facilities located thereon.

Alley: A Right-of-way which provides a secondary means of access to abutting lands. An Alley is not a Street for purposes of this Ordinance.

Alternative Transportation Plan: A plan which illustrates bicycle and pedestrian corridors throughout the Jurisdiction of the Plan Commission, as incorporated

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into the Thoroughfare Plan.

Applicant: A Property Owner or any person or entity acting as an agent on behalf of a Property Owner in an application made to the City in accordance with this Ordinance.

Art Studio: A work space for individuals practicing one of the fine arts or skilled in an applied art or craft that may include instrumental music, painting, sculpture, jewelry-making, weaving or other similar craft.

Arterial (Street), Primary or Secondary: A Street identified on the Thoroughfare Plan intended to carry large volumes of traffic to provide both intermediate and long distance trips across the community and utilizing traffic control devices to facilitate traffic flow and manage access here appropriate.

Assisted Living Facility: A facility for persons having such disabilities as to require assistance with daily living tasks. Such facilities contain four (4) or more living units; provide a combination of housing, support services, personalized assistance, and health care; and respond to needs of a person requiring assistance with the activities of daily living (i.e. dressing, grooming, bathing, food preparation) but do not require 24-hour skilled medical care.

Banner: A Sign possessing characters, letters, illustrations or ornamentations which are designed or intended to convey any identification, message or information other than an address number and which are applied to cloth, paper, plastic or fabric of any kind. A Banner shall not include: (i) plastic or fabric Signs which are permanently attached within a rigid frame which are intended to be used as a permanent Sign; or (ii) national flags, flags of political subdivisions and symbolic flags of any institution or business.

Banner, Ornamental: A Banner that uses any of a variety of images or colors of an ornamental or decorative nature, and that may display symbols, logos, emblems, letters (no more than three (3) per face of the entire display), and other graphic elements that do not include displays of on-premises or off-premises copy (i.e. words or other symbols, logos, emblems that may be construed as advertising).

Basement: That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

Beauty Salon: Any properly licensed and inspected establishment where cosmetology services (i.e. hair care, nail care, skin care) are provided on a regular basis for compensation.

Block: An area of land bounded by Streets or by a combination of Streets and public land, Rights-of-way, common area, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

Board: The Westfield-Washington Township Board of Zoning Appeals.

Boarding House: A building where more than two (2), but fewer than twelve (12) rooms are provided for lodging for definite periods of times, in contradiction to a Hotel (or Motel) or a bed and breakfast facility. Meals may or may not be

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provided, but there is one common kitchen facility. No meals are provided to outside guests. A Boarding House is a Multi-Family Dwelling for purposes of this Ordinance.

Buffer Yard: A strip of land together with improvements and plantings thereon intended to separate and visually screen uses or other visually obtrusive features of development in order to minimize conflicts and increase aesthetic compatibility without precluding connectivity between uses.

Builder/Developer Directional Signage Offsite: A Sign whose message is exclusively limited to guiding the circulation of motorists or pedestrians to a development.

Builder/Developer Directional Signage Onsite: A Sign whose message is exclusively limited to guiding the circulation of motorists or pedestrians within a development to specific phases or Lots.

Builder/Developer Kiosk Directional Signage Onsite: A Sign whose message is limited to guiding the circulation of motorists or pedestrians within a development to different builder's sections or types of home products.

Builder/Developer Sequential Sign Collections: A series of Signs, typically grouped together in a linear fashion, used for advertising or other informational purposes. Typically, the collective viewing of each sign in a proper sequence portrays a single message, but each individual Sign may portray an independent message.

Building: A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels or other property.

Building, Accessory: A subordinate building or structure, the use of which is incidental to and customary in connection with the Principal Building or use and which is located on the same Lot with such Principal Building or use and is under the same ownership. Buildings which are portable and do not have permanent foundations are also classified as Accessory Buildings, but shall not require an Improvement Location Permit.

Building Code: The various codes of the City that regulate construction as set forth in [Article 2.5 Building Code](#).

Building Commissioner: The official designated by the Council, authorized to enforce the City's Building Code.

Building, Detached: A building having no structural connection with another building.

Building Facade: That portion of any exterior elevation on a building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

Building Facade, Front: The Building Facade which is oriented towards and is most closely parallel to a Front Yard, and that Building Facade which contains a residence's front door or a business's primary public entrance.

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Building Height: The vertical distance measured from the lot ground level to the highest point of the roof for a flat roof (or the top of the parapet wall, if provided); to the deck line of a mansard roof; and to the mean height between eaves and ridges for gable, hip and gambrel roofs. [See also [Article 6.6 Height Standards](#).]

Building Setback Line: A line parallel to a Right-of-way line, edge of a stream, or other Lot Line established on a parcel of land or Lot for the purpose of prohibiting construction of a building or structure in the area between such line and the Right-of-way, stream bank, or other Lot Line.

Building Permit: An official document or certification that is issued by the Building Commissioner which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving, or repair of a building or structure. The Building Permit is part of the Improvement Location Permit.

Building, Principal: A building in which is conducted the main or primary use of the Lot on which said building is located. Where a substantial portion of an ancillary building is attached to the Principal Building in a substantial manner, as by a roof, then such ancillary building shall be counted as a part of the Principal Building and not as an Accessory Building.

Building Separation: The least distance between the walls of two (2) structures, regardless of whether they are located on the same Lot or parcel.

Caliper: A standard trunk diameter measurement for trees, taken six (6) inches above the finished grade for trees with a diameter of four (4) inches or less, and twelve (12) inches above the finished grade for larger sizes.

Campground: A parcel of land used or intended to be used for temporary occupancy by campers, or for temporary occupancy by or of Recreational Vehicles, travel trailers, mobile homes, tents, cabins, or other temporary accommodations.

Carnival/Festival: Carnival/Festival means a temporary and transportable activity, bazaar, or fair which celebrates or promotes a special occasion and may include but not be limited to any combination of crafts, exhibits, entertainment, games, rides, and display of items for sale or purchase.

Cemetery: Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Certificate of Compliance: A document issued by signature of the Department certifying that a proposed development or property complies with the terms and provisions of this Ordinance; such certification shall not constitute a statement as to compliance of proposed building with this code. [See also [Article 10.4 Certificate of Compliance](#).]

Certificate of Occupancy: A document signed by the Building Commissioner allowing the occupancy or use of a building or structure and certifying that the building, structure or use has been constructed or will be used in compliance

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with all the applicable codes and ordinances. [See also [Article 10.5 Certificate of Occupancy](#).]

City: The City of Westfield, Hamilton County, Indiana.

Club, Civic: Buildings and facilities, owned or operated by a corporation, association, person, or persons, for a social, educational, or recreational purpose, to which membership is required for participation, and not primarily operated for profit nor to render a service that is customarily carried-on as a business.

Club, Private: Buildings and facilities owned or operated by a corporation, association, person or persons catering exclusively to members and their guests for social, intellectual, or recreational purposes that are conducted for profit; includes a lodge, swim clubs, etc.

Collector (Street): A Street identified on the Thoroughfare Plan intended for relatively low-speed and low-volume to provide for short trips intended for collecting trips from local streets and distributing them to Arterials.

Common Area: Land identified on a Plat or Development Plan that is held in common or single ownership, typically by a homeowners' or property owners' association, which is designed and intended for the common use and enjoyment of the residents or tenants of the development and not reserved for the exclusive use or benefit of an individual tenant or Property Owner. Such areas may include complementary structures and improvements. Maintenance of such areas is forth by the development association, typically in the form of restrictive covenants guaranteeing the maintenance of these areas.

Comprehensive Plan: The [Westfield-Washington Township Comprehensive Plan](#), as adopted and amended in accordance with [I.C. 36-7-4-500 et seq.](#)

Condominium: Real estate lawfully subject to [I.C. 32-25](#), by the recording of condominium instruments, in which undivided interests in the common areas and facilities are vested in the condominium unit owners.

Conservation Easement: An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition retaining such areas as suitable habitat for fish, plants, wildlife, or maintaining existing land uses.

Council: The Common Council of the City of Westfield, Hamilton County, Indiana.

Critical Root Zone (CRZ): A circular region measured outward from a tree trunk representing the essential area of the roots that must be maintained in order for trees to remain healthy, and calculated at one (1) foot of radial distance per one (1) inch of tree Caliper, with a minimum of eight (8) feet.



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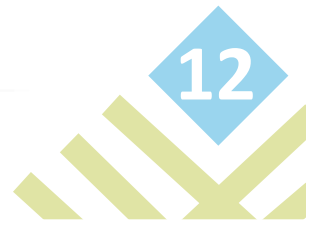
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Cul-de-sac: A dead-end Street (public or private) with a single common ingress and egress at one end and one vehicular turnaround at the other end.

Decibel (dB): A unit of measurement of the intensity of sound. Sound level meters are used to measure such intensities and are calibrated in decibels.

Deciduous: A plant with foliage that is completely shed annually in early to mid autumn.

Decorative Pole: A vertical, rigid support that is mounted to the ground, containing ornamental element(s).

Department: The City of Westfield Economic and Community Development Department.

Detention Area (or Detention Pond): An area of land, naturally or artificially designed, which stores stormwater on a temporary basis and releases it at a controlled rate. A Detention Area may drain completely after a storm event, or it may be a body of water with a fixed minimum and maximum water elevation between runoff events.

Developer: A person improving or proposing to improve a parcel of land and who may or may not be the Property Owner.

Development: Any human-caused change to improved or unimproved land, including but not limited to: construction of new buildings or other structures; subdivision of land; the relocation of an existing building; the use of land; parking; fences; pools; Signs; Land Disturbing Activity; temporary uses; clearing of land; paving; mining; dredging; filling; grading; paving; excavation; drilling operations.

Development Amenities: Neighborhood or development features that provide comfort, convenience, pleasure, and increased quality of life and may include, but are not limited to: Clubs, clubhouses, gyms, swimming pools, tennis courts, basketball courts, ballfields (soccer, football, etc.), walking/jogging/biking trails, picnic/barbecue group areas, playgrounds, volleyball courts, and racquetball courts; and related facilities and activities integrated into the development's homeowners' or property owners' association.

Director: The Director of the City of Westfield's Economic and Community Development Department and the official, designated by the Council, authorized to enforce this Ordinance.

District, Agricultural: Shall mean and refer to individually, or collectively, the Zoning Districts listed under "Agricultural Districts" in [Article 4.1 Establishment of Districts](#).

District, Business: Shall mean and refer to individually, or collectively, the Zoning Districts listed under "Business Districts" in [Article 4.1 Establishment of Districts](#).

District, Industrial: Shall mean and refer to individually, or collectively, the Zoning Districts listed under "Industrial Districts" in [Article 4.1 Establishment of Districts](#).

District, Multi-family: Shall mean and refer to individually, or collectively, the

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Zoning Districts listed under “Multi-family Districts” in [Article 4.1 Establishment of Districts](#).

District, Overlay: Areas of land delineated on the Zoning Map that overlap Zoning Districts and govern development and uses in context sensitive areas of the community as set forth in this Ordinance. [See also [CHAPTER 5: OVERLAY DISTRICTS](#).]

District, Residential: Shall mean and refer to individually, or collectively, an Agricultural District, Single-family District and/or Multi-family District.

District, Single-family: Shall mean and refer to individually, or collectively, the Zoning Districts listed under “Single-family Districts” in [Article 4.1 Establishment of Districts](#).

District, Zoning: Areas of land delineated on the Zoning Map subject to the terms and provisions of this Ordinance or which may hereinafter be created subsequent to the enactment of this Ordinance for which regulations governing the area, height, use of buildings, or use of land, and other regulations relating to development or maintenance of existing uses or structures, are uniform. [See also [CHAPTER 4: ZONING DISTRICTS](#).]

Dripline: A vertical line extending perpendicularly from the ground to the outermost edges of a tree canopy or shrub branches.

Driveway: A private vehicular way, the use of which is limited to persons residing, employed, or otherwise using or visiting the parcel or Lot in which it is located. A Driveway is not a Right-of-way or Street (public or private).

Dwelling, Duplex: A building containing two (2) Dwelling Units, each of which has direct access to the outside and each Dwelling Unit being a minimum of twenty-three (23) feet wide.

Dwelling, Efficiency Unit: A Dwelling Unit consisting of one (1) principal room, including sanitary, cooking, living, sleeping facilities, and/or dining alcove.

Dwelling, Multi-family: A Dwelling Unit located within a building typically designed to accommodate three (3) or more Dwelling Units or part of a mixed-use building with each Dwelling Unit living independently of another. Multi-family Dwellings include apartments, Condominiums, Group Homes, Boarding Houses, dormitories, etc., but does not include Quadraplex, Triplex or Townhouse Dwellings.

Dwelling, Quadraplex: A building containing four (4) Dwelling Units, each Dwelling Unit being a minimum of twenty-three (23) feet wide.

Dwelling, Single-family: A building containing one (1) Dwelling Unit being a minimum of twenty-three (23) feet wide, which does not share a common wall with any other Dwelling Unit and is surrounded on all sides by outside areas located on the same Lot (e.g., detached building).

Dwelling, Triplex: A building containing three (3) Dwelling Units.

Dwelling, Townhouse: A Dwelling Unit with a private entrance, which is part of a building with Dwelling Units attached in a linear arrangement, and having a

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totally exposed front and rear walls, used for access, light, and ventilation.

Dwelling Unit: Any room or group of rooms located within a building, which forms a single habitable unit for occupancy for one (1) family unit and includes facilities that are used, or intended for use as living, sleeping, cooking, and eating accommodations.

Easement: A legal interest in land, granted by the Property Owner to another person or entity, which allows the use of all or a portion of the Property Owner's land for the purpose stated therein, which may include but is not limited to: access, signage, landscaping, conservation, drainage, temporary construction, utilities, or other infrastructure.

Economic Development Area: Any redevelopment project area, economic development area, or urban renewal project area duly established by a Redevelopment Commission in accordance with Indiana law.

Educational Institution: Public or parochial pre-primary, primary, grade, junior high, high, preparatory school or academy; junior college, college or university, if public or founded or conducted by or under the sponsorship of a religious or charitable organization.

Entertainment Facility, Commercial: A commercial use conducted for profit and open to the general public that offers active recreational opportunities and is predominantly conducted in enclosed or screened facilities. Commercial Entertainment Facilities may include, but are not limited to: arcades, bowling alleys, driving ranges, miniature golf, motorized cart tracks, motorized model airplane flying facilities, paintball, laser tag, batting cages, roller or ice skating rink and trampoline facilities.

Equestrian Facility: A horse, donkey, or mule facility operated for business purposes including, but not limited to: horse ranches, boarding stables, riding schools and academies, horse exhibition facilities, pack stations, barns, stables, riding arenas (indoor or outdoor), corrals, and paddocks accessory and incidental to the above uses. An Agricultural Use or Hobby Farm is not an Equestrian Facility for purposes of this Ordinance.

Evergreen: A coniferous or broad-leaved plant whose leaves remain throughout the year and are continually dropping and being replaced by new springtime growth.

Expressway (Street): A Street identified on the Thoroughfare Plan as a Primary Arterial 1, which is intended as a highway for through traffic with full or partial access control and a limited number of at-grade intersections.

Family: One (1) or more persons occupying a Dwelling Unit and living as a single housekeeping unit, as distinguished from a group occupying a Hotel (or Motel), Boarding House, Residential Facility, Assisted Living Facility, Nursing Home, fraternity or sorority house.

Farm Stand: A temporary structure, capable of being dismantled or removed, from which agricultural products (i.e. fresh fruits, vegetables, flowers, herbs, plants) produced on the premises are seasonally sold.

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Fiber Cement Siding: A composite material made of cement, sand, cellulose fiber and various additives mixed with water and manufactured into an exterior siding material.

Fixture, Light: The assembly that houses a lamp(s) and may include some or all of the following parts: an assembly housing, mounting bracket or pole socket, lamp holder, ballast, reflector or mirror, and a refractor or lens.

Floodplain: The channel proper and the areas adjoining any wetland, lake or watercourse that have been or hereafter may be covered by the regulatory flood, which shall include both the floodway and the floodway fringe as shown on the Flood Insurance Rate Map (FIRM), as prepared by the National Flood Insurance Program by the Federal Emergency Management Agency (FEMA).

Floor Area, Gross: The sum area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Foot-candle: A unit of illumination produced on a surface, all points which are one foot from a uniform point source of one candle.

Frontage Road: A Right-of-way which runs near to and characteristically, but not necessarily, parallel to a limited access Right-of-way.

Garden and Lawn Center: A place of business or portion of a business where retail and wholesale products and produce are sold to the consumer and where most items sold are not produced on the Lot and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other lawn, garden and farm variety tools and utensils.

Gasoline Service Station: Any building or land used for the retail sale of automobile fuels and lubricants and which typically includes fuel pumps and underground storage tanks.

Glare: Glare means light emitted by a luminaire at an intensity that causes a reduction in visibility, eye fatigue, or in extreme cases momentary blindness.

Golf Course: A tract of land providing a private or public golf recreation area, including at least nine (9) holes, designed for executive or regulation play, and including supporting facilities as accessory uses (e.g., practice facilities, clubhouse, locker rooms, maintenance buildings, recreational facilities, related retail sales such as a pro shop and restaurant), but excluding miniature golf.

Grade: The average level of the finished surface of ground adjacent to the exterior walls of the building.

Groundcover: Ornamental plants growing less than two (2) feet in height at maturity and used as an alternative to grass.

Group Home: The use of land and a building for the purposes as defined by [I.C. 31-9-2](#) and regulated by [I.C. 31-27-5](#), as amended.

Hobby Farm: The Accessory Use of land and related improvements (e.g., stables, sheds, feeding bins) for the keeping of animals for the private use, enjoyment and benefit of the property owner and their guests, but in no event for commercial use or hire, that is operated incidental and secondary to a permitted primary

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use on the Lot. A Hobby Farm is not an Agricultural Use, Agritourism Use, Equestrian Facility or Kennel for purposes of this Ordinance.

Home Business: An Accessory Use incidental and secondary to the use of a property as a Dwelling Unit and which use complies with the standards of the Zoning District in which the property is located and complies with the standards set forth in [Article 6.7 Home Business Standards](#).

Home Garage Sales: The conducting of home rummage sales for the benefit of the family or a group of families.

Hospice: A facility that provides inpatient support care and attends to the emotional, spiritual, social, and financial needs of terminally ill patients and their families.

Hospital: An institution licensed by the State Board of Health and providing health services primarily for in-patient medical or surgical care of the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices which are an integral part of the facility, provided such institution is operated by or treatment is given under direct supervision of a licensed physician. Types of hospitals may include general, mental, chronic disease and allied special hospitals such as cardiac, contagious disease, maternity, orthopedic, cancer and the like.

Hotel: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests; in contradistinction to a Boarding House.

Improvement Location Permit: A document signed by the Building Commissioner stating that a proposed Improvement complies with the provisions of this Ordinance. [See also [Article 10.8 Improvement Location Permit](#).]

Improvement: Any building, structure, parking facility, fence, gate, wall, work of art, underground utility service, Land Disturbing Activity, or other object constituting Development, a physical alteration of real property, or any part of such alteration.

In-line Tenant: Any tenant within a multi-tenant building where each individual tenant has an exterior store front and public entrance for its patrons.

Industry, Extraction: The use of land for activities involving on-site extraction of surface or subsurface mineral products or natural resources and immediate processing of material. Example uses include: a quarry, outside salt storage, borrow pits, lumber yard, coal yard, sand and gravel operation, mining, soil mining, well drilling operations, milling (i.e. crushing, screening, washing and flotation) and other preparation customarily done at extraction site or as part of the extractive activity. Specifically excluded from this use are site development activities in preparation of infrastructure installation or vertical construction and Agricultural Uses.

Industry, Heavy: Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides or other hazardous

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materials in the manufacturing or other process. Example uses include, but not are limited to: thermal, electric, steam, and atomic power plants; coke manufacturing; oil processing, refining and manufacturing; hazardous waste facility; manufacturing of explosive, matches and fireworks; production of emulsified asphalt and preparation of asphaltic concrete paving materials; reduction plants; bulk storage of petroleum products; manufacturing of chemicals and gasses; ice and coal stations; manufacturing and processing of tar, tar paper products.

Industry, Light: Research and development activities, manufacturing, compounding, processing, packaging, storage, assembly, fabrication, processing, and/or treatment of finished or semi-finished products from previously prepared materials, which activities are conducted wholly within an enclosed building using processes that ordinarily do not create noise, smoke, fume, odors, glare or health or safety hazards outside of the building or Lot and shall not include any use that is otherwise listed specifically in this Ordinance. Example uses include, but are not limited to: leather products manufactured from finished leather; casket and casket supplies; crating and packaging service; exterminators; glass fabrication and installation; newspaper publishing; storage and transfer (household goods); manufacturing and/or assembly of storm doors, windows, awnings, siding, cabinets, can or containers, communication equipment, household appliances, marine equipment, office equipment and machinery, cloth products from finished cloth, furniture, glass and glass products, jewelry without retail, musical instruments, optical goods, paper boxes and paper products from finished paper, portable household appliances, electric hand tools, railroad equipment (including repair and service), recording instruments, phonograph records, tools, implements, machinery, mattress and upholstery, pharmaceutical, advertising and business signs, medicine and cosmetics; assembly operations of pre-manufactured parts, components; assembly, repair and manufacture of light component parts; taxidermist; machine, welding, tool and die shops; stamping and fabricating metal shops; tire recapping; malt products, brewery, distiller of liquor and spirits; bottling of alcoholic and non-alcoholic beverages; secondary food processing and packaging of products not produced on site.

Industry, Medium: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that otherwise may not constitute light manufacturing, and which may include open uses and outdoor storage that otherwise comply with this Ordinance. Example uses include, but are not limited to: creosote manufacturing and treatment; construction and manufacturing of outdoor advertising signs; manufacturing of cement, lime, or gypsum, detergents and soaps, boiler tanks and glue; concrete mixing, batch plant; production of concrete blocks, shapes, cinder blocks, etc.; malt products, brewery, distiller of liquor and spirits; manufacturing, engraving and sales of cemetery monuments and tombstones; structural steel fabricating; foundries; open hearths and blast furnaces; laundry and dry cleaning plants; leather curing and tanning.

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Institutional Use: Educational Institutions, Religious Institutions, Public Safety and Service Uses, Parks and other similar uses, as listed under Cultural & Institutional Uses in [Article 13.2 Use Table](#).

Interested Party: Any persons requiring notice of a public hearing or meeting in accordance with this Ordinance, Indiana Code, the Rules of Procedure of the Plan Commission, the Rules of Procedure of the Board of Zoning Appeals, or other individuals or entities as deemed appropriate by the Director.

Jurisdiction of the Plan Commission: All land within Washington Township, Hamilton County, Indiana, and all land incorporated into the City of Westfield, Hamilton County, Indiana.

Kennel: Any use of land on which four (4) or more dogs, or small animals, at least four (4) months of age are kept. A Kennel is not an Agricultural Use or Hobby Farm for purposes of this Ordinance.

Lamp: Lamp means a component of a luminaire that produces light. A lamp includes a bulb and its housing.

Land Disturbing Activity: Any man-made change of land surface area, including clearing, cutting, excavating, filling, grading, or any other activity that alters land topography or vegetative cover, not including Agricultural Uses or gardening.

Landscape Plan: A plan which depicts compliance with and meets the requirements of [Article 6.8 Landscaping Standards](#).

Landscaping: The improvement of land with a combination of living plants (i.e. grasses, shrubs, trees, and/or other plant materials) and nonliving materials (i.e. mounds/berms, rocks, mulch, walls, fences, and/or ornamental objects) designed and arranged to produce an aesthetically pleasing effect.

Light Emitting Diode (LED): A semiconductor device that emits visible light when an electric current passes through it.

Light Pollution: General sky glow which is caused by the scattering of artificial light in the atmosphere, caused by luminaries.

Light Trespass: Light emitted by a luminaire that shines beyond the Lot Lines of a of the Lot on which the luminaire is located.

Lighting Plan: A plan which depicts compliance with and meets the requirements of [Article 6.9 Lighting Standards](#).

Living Area: The floor area of a Dwelling Unit above the finished grade of a building, measured from the outside dimensions of the building's exterior walls, exclusive of Basements, open porches, breezeways, terraces, garages and exterior stairways.

Loading and Unloading Berths: The off-street area required for the receipt or distribution by vehicles of materials or merchandise, which in this Ordinance is held to be a loading space measuring at least twelve (12) feet by forty-five (45) feet with a height clearance of fourteen (14) feet.

Local Street (Local Road): A Street which is intended for low-speed and low-volume to provide for vehicular access from Collectors through Subdivisions,

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neighborhoods and business areas to abutting property.

Lodging House: A building where lodging only is provided for compensation to three (3) or more, but not exceeding twelve (12) persons, not open to transients, in contradistinction to a Hotel which is open to transients.

Lot: A Lot of Record or a tax parcel described by metes and bounds or separately in a survey which is recorded in the Office of the Recorder of Hamilton County, Indiana.

Lot, Corner: A Lot at the junction of and abutting two (2) or more intersecting Streets (public or Private Streets).

Lot Coverage: A measure of intensity of land use that represents the portion of a site that is impervious (i.e. does not absorb water) and includes, but is not limited to all areas of a Lot improved by buildings, sidewalks, parking structures, Driveways, Street, Private Street, sidewalks, and any other area of concrete or asphalt.

Lot Depth: The horizontal distance between the Front and Rear Lot Line, as measured in the general direction of the Side Lot Line.

Lot Frontage: The length of the Front Lot Line.

Lot, Interior: A Lot other than a Corner Lot or Through Lot.

Lot Line: The property line bounding the Lot.

Lot Line, Front: A Lot Line abutting a Street (public or Private Street). A Through Lot and Corner Lot will have multiple Front Lot Lines.

Lot Line, Rear: The Lot Line that is opposite the Front Lot Line and farthest from it, except that for a triangular or other irregularly shaped Lot, the line ten (10) feet long, parallel to the Front Lot Line, and wholly within the Lot, that is farthest from the lot line. A Through Lot and Corner Lot may not have a Rear Lot Line.

Lot Line, Side: A Lot Line other than a Front Lot Line or Rear Lot Line.

Lot of Record: A Lot which is part of a subdivision, the plat of which has been recorded in the Office of the Recorder of Hamilton County, Indiana, or a parcel of land, the deed to which has been recorded in the Office of the Recorder of Hamilton County, Indiana, prior to the date of passage of this Ordinance.

Lot, Through: A Lot having Lot Frontages on two (2) parallel or approximately parallel Streets (public or Private Street).

Lot, Width: The dimension of a Lot, measured between Side Lot Lines on the Building Setback Line.

Lumen: A unit of measurement of luminous flux. One (1) foot-candle is equal to one (1) lumen per square foot.

Luminaire: A complete lighting system, and includes the lamp or lamps and a Lighting Fixture.

Luminance: A level of light measured at a point on a surface.

Manufactured Home: A Dwelling Unit, designed and built in a factory after January 1, 1981, which bears a seal certifying that it was built in compliance

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with the federal Manufactured Housing Construction and Safety Standards Law of 1974 ([42 U.S.C. 5401 et seq](#)) and that exceeds twenty-three (23) feet in width and nine hundred fifty (950) square feet of Living Area.

Manufactured Home Park: A parcel of land which has been planned and improved for the placement of Manufactured Homes for residential use and complies with the minimum standards established by this Ordinance.

Masonry Material: Brick, limestone, natural stone, manufactured stone (e.g., Cultured Stone®), or a combination of the same, bonded together with a mortar to form a wall, buttress, or similar mass. Fiber Cement Siding is not a Masonry Material for purposes of this Ordinance.

Material Recycling Facility (MRF): A business or governmental unit that collects, separates, or otherwise processes solid waste secondary materials for which there is a generally accepted market for such products.

Mobile Home: A factory assembled Dwelling Unit that is transportable and intended for year around occupancy which exceeds thirty-five (35) feet in length and is designed either for transportation on highways or for temporary or permanent placement on a foundation on a Lot or in a mobile home park. This definition is not intended to apply to other modular housing or prefabricated housing panels, trusses, or other sub-elements, nor any other Dwelling Unit which is defined as a Manufactured Home by this Ordinance.

Model Home: A Dwelling Unit temporarily used for display purposes as an example of Dwelling Units available or to be available for sale or rental in a particular Subdivision or other residential development approved by the City. Model Homes may also incorporate sales or rental offices for Dwelling Units within the development and may include temporary trailers. [See also [Article 6.18 Temporary Uses and Events](#).]

Motel: A building or a detached building used as dwelling units containing bedroom, bathroom and closet space, and each unit having convenient access to a parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are devoted to the use of automobile transients.

Motor Truck Terminal: Any premises used by a motor freight company as a carrier of goods, which is the origin or destination point of goods being transported, for the purpose of storing, transferring, loading, and unloading goods, but excluding loading and unloading of freight accessory to an otherwise permitted use on the site.

Natural Areas: An area possessing one or more of the following environmental characteristics: steep slopes; floodplain; soils classified as having high water tables; soils that are subject to erosion; land incapable of meeting percolation requirements; Riparian Corridors; mature stands of Native Vegetation; aquifer recharge and discharge areas; wetlands and wetland transition areas; and Significant Wildlife Habitats.

Nonconforming Building (or Nonconforming Structure): A Building, Structure, or portion thereof, which uses does not conform to the regulations of the

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Zoning District in which it is located. [See also [CHAPTER 11: ENFORCEMENT & PENALTIES](#).]

Nonconforming Use: A use which does not conform to the regulations of the Zoning District in which it is located. [See also [CHAPTER 11: ENFORCEMENT & PENALTIES](#).]

Nonconforming Sign: A Sign which does not conform to the regulations of this Ordinance, or any amendment thereto. [See also [CHAPTER 11: ENFORCEMENT & PENALTIES](#).]

Nonresidential Center: A building or combination of buildings containing three (3) or more tenants, stores, service establishments, offices or other permitted uses which are planned, platted, organized, or managed to function as a unified whole and shares one or more of the following: (1) vehicular access; (2) Parking Areas; (3) signage; (4) landscaping; or (5) design theme; and/or is platted as part of a Subdivision or coordinated shopping center, which may include Outlots for lease or for sale.

Nonresidential Use, Individual: Any building or combination of buildings with a single tenant, store, service establishment, office or other permitted non-residential use and not part of a Nonresidential Center.

Nursery: The use of land and buildings (e.g., greenhouse) for the growing or production of fruits, vegetables, flowers, nursery stock, including ornamental plants and trees, and cultured sod as a business activity that then sells as retail and/or wholesale only the plants that are grown on the Lot. This definition does not include Agritourism Uses or landscaping contractor uses [see Office, Construction Trade].

Nursing Home: A facility licensed by the State Board of Health, which: (1) provides nursing services on a continuing basis; (2) admits the majority of the occupants upon the advice of physicians as ill or infirm persons requiring nursing services; (3) provides for licensed physicians services or supervision; (4) maintains medical records; and (4) may also provide other and similar medical or health service provided that no occupant requires physical restraint within the facility. A Nursing Home may include similar uses such as convalescent homes, maternity homes, rest homes, homes for the aged, and the like, if such use complies with the above criteria.

Octave Band: A narrow range of sound frequencies which classify sounds according to pitch. An Octave Band analyzer, an electrical device used with the sound level meter that sorts a complex noise or sound, divides the audible sound spectrum into eight (8) Octave Bands.

Office, Construction Trade: Electrical contractors, general contractors or construction offices, home remodeling companies, septic system contractors, heating and cooling contractors, painting contractors, landscaping contractors, and plumbing contractor offices, and the like, where such use is typically characterized to include some or all of the following aspects: storage of product for sale or for installation, storage of materials related to the business, storage of equipment or other implements, office space, parking of company vehicles,

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service areas for equipment and vehicles, warehouse space, showroom space, and/or retail sales.

Office, General Services: Employment services, temporary employment agency, investment firm, membership associations, secretarial service, consumer service offices, publishing corporate offices, reading clinic, service organization, title company, trade office, tailor or seamstress, interior decorator, philanthropic or charitable institution and travel agency, and the like.

Office, Medical: Dental clinic, medical clinic, optical clinic, general physician's office, hospital (minor) and veterinarian clinic (small animals and no outdoor runs), related labs and the like.

Office, Professional: An office used by members of a recognized profession such as accountants, architects, artists, Art Studio, engineers, lawyers, musicians, physicians, surgeons, pharmacists, and real estate or insurance agents and brokers.

Open Space: Land used for recreation, resource protection, amenity, and/or screening. Open Space may include Natural Areas, Parks, Development Amenities, Recreational Facilities, railroad corridors, Buffer Yards, public art spaces, interpretative sites, and performing art spaces. Open Space does not include medians in Rights-of-way or any area of land included on a Lot used for another primary use such as residential or commercial. [See also [Article 8.6 Open Space and Amenity Standards](#).]

Outlot: A Lot within a Nonresidential Center that typically abuts a Street on one Lot Line and either a Street or other vehicular access (i.e. Private Street) shared with other Lots within the Nonresidential Center on another Lot Line.

Outside Sales Display: An outdoor arrangement of objects, items, products, merchandise or other materials, that are placed, designed and/or used for the purpose of selling, advertising or identifying a business, product, or service.

Outside Storage: The keeping of any material, merchandise, products, or equipment outside of a building or structure for a period greater than twenty-four (24) hours. Material or equipment being used in the development of a property or construction refuse, disposed of within fifteen (15) days, shall not be deemed Outside Storage.

Park: Land available for recreational, educational, cultural, or aesthetic use which is publicly owned or controlled for public use.

Parking Area: Any public or private land area designed and used for parking more than four (4) motor vehicles, and shall include garages, Driveways, Parking Spaces, drive aisles and areas of Streets legally designated for parking.

Parking Space: An area designed or used for parking a motor vehicle which complies with [Article 6.14 Parking and Loading Standards](#).

Plan Commission: The Westfield-Washington Township Advisory Plan Commission.

Plat: A map or chart indicating the subdivision of land, intended to be filed for record. [See also Plat, Primary and Plat, Secondary.]

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Plat, Primary: The initial plat and plans upon which the approval of a proposed subdivision are based, pursuant to [I.C. 36-7-4-700 et seq.](#), and subject to review and approval in accordance with this Ordinance. [See also [Article 10.12 Subdivision.](#)]

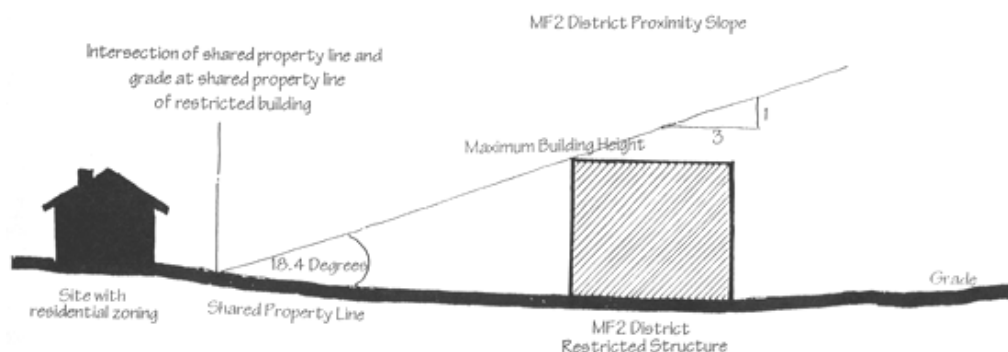
Plat, Secondary: The final plat document in recordable form, pursuant to [I.C. 36-7-4-700 et seq.](#), which shall substantially conform with the preceding Primary Plat, or section thereof and subject to review and approval in accordance with this Ordinance. [See also [Article 10.12 Subdivision.](#)]

Polymeric Cladding: A siding material constructed of a natural polymer base combined with an inorganic mineral with a natural wood grain embossing, a minimum plank thickness of 0.22", and with an applied board exposure of at least 6-7/8" (e.g., Norandex Everlast™). Polymeric Cladding is not vinyl siding, Fiber Cement Siding or a Masonry Material for purposes of this Ordinance.

Premises (or Property): Premises means a Lot, parcel, tract or plot of land together with the buildings and structures thereon.

Property Owner: An individual, firm, association, organization, partnership, trust, company, corporation, or any other legal entity who owns, owns in part, or holds title to real property as shown on records of the office of the Hamilton County Recorder.

Proximity Slope: A plane projected upward and outward from the Lot Line at a specific angle or slope. The angle or slope is projected from the line formed by the intersection of the vertical plane extending up from the shared Lot Line and the grade at the shared Lot Line of the restricted building or structure.



Public Safety and Service Use: Any use of land or building held, used, or controlled exclusively for public purposes by any department or branch of government, state, county, or municipal, without reference to the ownership of the building or of the property upon which it is situated and used by the public for the transaction of public or quasi-public business. Such uses shall include, but are not limited to: a city hall, fire station, license branch, library, police station, post office, public utilities. This use does not include Educational Institutions.

Public Sanitary Sewer: Any sanitary sewage system maintained by a governmental unit or a utility company that provides off-site treatment and disposal of sewage in which sewage is conveyed by interceptor to a treatment plant and disposed of through means approved by the State (as opposed to an

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individually owned septic sewer system).

Public Utility Installations: The erection, construction, alteration, or maintenance by public utilities, municipal departments, commissions, or common carriers of underground, surface or overhead gas, oil, electrical, steam, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, towers and other similar equipment and accessories in connection therewith, reasonable necessary for the furnishing of adequate service by public utility or municipal departments, commissions, or common carriers, for the public health or safety or general welfare.

Recreational Facility: A structure used for active recreation (i.e. swimming pools, tennis courts, basketball courts, tennis courts, pavilions, picnic areas).

Recreational Vehicle: Any boat, boat trailer, trailer, camping trailer, travel trailer, pick-up, coach, motor home or other unit built or mounted on a vehicle or chassis, without permanent foundation, which may legally be driven or towed by a motor vehicle on a highway.

Recycling Collector System: A commercial container utilized to collect one or more types of recyclable materials which does not include semi-trailers or single containers utilized by a commercial establishment conducting another business and located in or adjacent to the commercial facility.

Religious Institution: A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose. Includes church, synagogue, temple, mosque, or other such place for worship and religious activities.

Residential Facility: A residential facility for individuals with a developmental disability or mental illness meeting the requirements of [I.C. 12-28-4-7](#) and that otherwise complies with the Zoning District in which the facility is located.

Restaurant, Specialty: An establishment whose primary business is the sale of a single specialty type of food or beverage that is not considered a complete meal (e.g., bakery with seating, candy shop, delicatessen, custard stand, coffee shop, or ice cream parlor) and the sale of other food, beverages, or merchandise is incidental to the sale of the specialty food or beverage.

Restaurant, Sit Down: An eating establishment that offers full-service that typically includes most of the following characteristics: (i) turnover rates around one (1) hour; (ii) generally serve lunch and dinner, some serve breakfast, and some may be open twenty-four (24) hours; (iii) may accept reservations and patrons commonly wait to be seated; (iv) may offer as a secondary service call-ahead ordering and pick-up conveniences; (v) usually served patrons by a waiter/waitress; (vi) order from menus and patrons pay for their meal after they eat.

Restaurant, Fast Food: An establishment whose primary business is the sale of food prepared and available before an order is placed and typically includes most of the following characteristics: (i) the meal is paid for prior to consumption; (ii) patrons often order from a menu board, are served their food at a counter or

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in a motor vehicle in packages prepared to leave the premises or may be taken to a table or counter to be consumed; (iii) includes a high-volume drive-through facility. Example businesses include drive-in food and beverage establishments and restaurants or cafeterias having less than fifty percent (50%) of gross sales derived from food sales excluding drive-through.

Restaurant, Takeout and Deli-style: An establishment whose primary business is the sale of food and/or beverages that are sold in a form ready for consumption either on or off the premises and typically includes most of the following characteristics: (i) food is typically prepared after ordering; (ii) food may be taken to a table or counter to be consumed; (iii) limited seating (indoor or outdoor) is typically available; (iv) may provide a low volume drive-through facility; (v) the majority of gross sales are derived from call-ahead ordering and/or sales transacted with the patron inside the establishment. Example businesses include pizza and sandwich shops.

Retail, High Intensity: Retail businesses that have a high impact on neighboring properties, traffic generation, and public safety. Example businesses include, but are not limited to: building finishes store (large), building supply store (large), department store (large), discount store (large), furniture store (large), grocery/supermarket (large), home electronics/appliance store (large), office supplies (large), sporting goods (large), superstore, variety store (large), auto and motorcycle service uses (e.g., parts sales, tire sales and/or repair, service garage, rust proofing, storage, car wash), pet-oriented businesses (e.g., pet shop, obedience schools, grooming), toy store (large). Generally, a business over twelve thousand (12,000) square feet qualifies as large for purposes of this definition.

Retail, Low Intensity: Retail businesses that have a low impact on neighboring properties, traffic generation, and public safety. Example businesses include, but are not limited to: art gallery, banks and savings and loans, bakery with limited seating, barber and beauty shop, book store (small), camera store, convenience store (small), craft gallery (small), drug store (small), dry cleaning pick-up, flower shop, gift shop, jewelry store, laundromats and self-service dry cleaning, mail order stores, meat market, news dealer and stationary stores. Generally, a business under eight thousand (8,000) square feet qualifies as small for purposes of this definition.

Retail, Medium Intensity: Retail businesses that have a moderate impact on neighboring properties, traffic generation, and public safety. Example businesses include, but are not limited to: antique shop, apparel shop, art and craft supplies, auto part sales, auto rental, bicycle shop, book store (large), boutique, building finishes store (small), building supply or hardware store (small), china and glassware shops, coin shop, computer sales, convenience store (large), craft gallery (large), department store (small), discount store (small), drug store (large), fabric shop and upholsters, furniture store (small), furrier shop, gift shop (large), golf/tennis pro shop, grocery/supermarket (small), hobby shops, home electronics/appliance store (small), locksmith shop, liquor sales, luggage store, music/media shop, musical instruments store, office supplies (small), pawn

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shop, printing and photocopying (small jobs), shoe sales and repair, sporting goods (small), tobacco shop, toy store (small), variety store (small). Generally, a business under twelve thousand (12,000) square feet qualifies as small for purposes of this definition.

Retail, Special Handling: Retail businesses that primarily sell products that require special handling due to risks to public safety. Example businesses include, but are not limited to: gun sales and hunting stores.

Retail, Very High Intensity: Retail businesses that have a very high impact on neighboring properties, traffic generation, and public safety and that inherently operates in whole or part outdoors through sale, display or other general activities. Example businesses include, but are not limited to: vehicle and motorcycle sales (new or used), construction vehicle and trailer sales, farm equipment sales, farm implement sales and service, feed sales, heavy equipment sales, tool and light equipment rental, manufactured or mobile home sales, boat and trailer sales and service, travel trailer sales and rental, and semi tractor-trailer cleaning, service, rental, repair and sales.

Retention Area (or Retention Pond): An area of land, naturally or artificially designed, intended to accept runoff from a developed site and discharge it at a limited rate. Flows exceeding the limited rate are stored until they can be released at the limited rate (when the runoff rate into the system drops below the limited rate). A specified volume is stored indefinitely (retained) until it is displaced by runoff from another storm stores stormwater on a permanent basis and which may or may not have an outlet to adjoining watercourses to release stored stormwater. Retention Areas may provide multipurpose uses such as recreational areas and Open Space.

Right-of-way: An area of land not on a Lot for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines) that is dedicated or deeded to a governmental entity and under the control of a public agency for public use.

Ringelmann Number: The number of the area on the Ringelmann Chart that most nearly matches the light-obscuring capacity of smoke. The Ringelmann Chart is described in the U.S. Bureau of Mines information Circular 6888, on which are illustrated graduated shades of gray for use in estimating smoke density. Smoke below the density of Ringelmann No. 1 shall be considered no smoke, or Ringelmann 0.

Riparian Corridor: The strip of land lying along the sides of natural or man-made bodies of water, including land adjacent to river and stream corridors, but may also include land adjacent to lakes and ponds. Such land is often located within Floodplains and covered by dense vegetation.

Salvage Yard: Land on which personal property is or may be bought, maintained, sold, exchanged, stored, processed, or handled for reuse, resale or reduction or similar disposition and is owned, possessed, collected, accumulated, dismantled, or assorted, including but not limited to: used or salvaged base metal or metals,

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their compounds or combinations; machinery; used or salvaged rope, bags, paper, rags, glass, rubber, bottles, discarded goods, lumber, millwork, brick; used motor vehicles (including two (2) or more inoperable motor vehicles); machinery or equipment which is used, owned or possessed for the purpose of wrecking or salvaging parts therefrom. Includes auto wrecking or shredding.

School, Fine Arts or Commercial: A facility which offers instruction specific to an art or other commercial purpose and is not publicly owned or owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization. Examples include, but are not limited to schools or academies teaching the arts for profit (e.g., language school, music school, dancing studio, photography school, cooking classes, karate studio).

School, Professional Trade or Business: A facility which offers instruction specific to a trade or business and is not publicly owned or owned or conducted by or under the sponsorship of a religious, charitable or non-profit organization. Examples include, but are not limited to vocational or industrial training facilities (e.g., culinary arts, barber and beauty schools, business and clerical schools, professional and technical schools, industrial schools and training facilities).

Screen: Plants, berms, fences, walls, or any appropriate combination thereof used to visually obscure aesthetically unpleasing features of development or to reduce noise pollution.

Screen, Vegetative: A Screen of vegetation with dense foliage.

Shield: Shield means any attachment, which interrupts and blocks the path of light emitted from a luminaire or Fixture.

Shielded, Fully: Fully shielded means that a bulb is not visible within a shielded Fixture and no light is emitted from the top or sides of the Fixture. All light emitted from a Fixture is projected downward below a horizontal plane running through the lowest point of a Fixture where light is emitted.

Shrub: A woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground.

Sign: Sign means any display or device placed on a property in any fashion which is designed, intended, or used to convey any identification, message or information other than an address number.

Sign, Acreage For Sale: A Sign announcing the sale, rental, or lease of land.

Sign Area: The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction, or symbolism of the sign. Sign Area shall be computed as the smallest continuous rectangular figure that circumscribes a single sign display including writing, representations, emblems, logos or other displays, exclusive of the supporting framework, base, or structural bracing clearly incidental to the sign display.

Sign Area Allocation: The amount of permitted signage available to a particular use or tenant.

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Sign, Awning: Any advertising or display located on any non-rigid material that extends from the exterior wall of a building and is supported by or attached to a frame.

Sign, Center: Advertising used to identify a Nonresidential Center, which may include individual tenant advertising.

Sign, Construction: A Sign directing attention to construction upon a property where the Sign is displayed, and bearing the name, address, or other identifier of the contractor, subcontractor, architect and/or development team.

Sign Copy: The wording, logos, symbols, emblems, or graphic content of a Sign.

Sign, Direction: A Sign intending to direct the safe flow of vehicular and pedestrian traffic and includes "enter," "exit," and "arrow" signs.

Sign, Election: A Temporary Sign announcing or supporting candidates or issues in connection with any election or referendum.

Sign, Electronic: A Sign or Sign component with a fixed or changeable display composed of a series of lights, including but not limited to light emitting diode (LED), that may be changed through electronic means.

Sign, Entrance: Signs located at Nonresidential Centers which identify points of ingress and egress into the center.

Sign, Flashing: Any illuminated Sign which exhibits changing light or color effects.

Sign, Gas Price: A Sign displaying only the price of gasoline.

Sign, Home Construction or Home Remodeling Sign: A Temporary Sign used to advertise business entities conducting remodeling or construction work activities on a given parcel during the period that remodeling or construction activities are taking place on the given parcel.

Sign Height: The height measured from the natural grade elevation upon which the Sign is placed to the highest point of the Sign or sign structure.

Sign, Illuminated: A Sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper, or which is illuminated by reflectors.

Sign, Interior Circulation: A Sign intending to direct the safe flow of vehicular and pedestrian traffic and includes "enter," "exit," and "arrow" signs. Interior Circulation Signs are not commercial way-finding signs.

Sign, Monument (or Ground): A Sign which is permanently fixed to the ground.

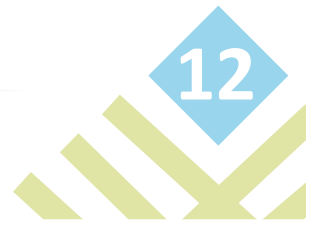
Sign, Nonresidential Real Estate: A sign announcing the sale, rental, or lease of nonresidential property.

Sign, Nonresidential Special Event: A Temporary Sign for a nonresidential entity, including businesses, charitable organizations, or not-for-profit corporations, which advertises grand openings, customer-appreciation events, public gatherings, and other similar events as determined by the Director.

Sign, Off-Premises: A Sign directing attention to a specific business, product,

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service, entertainment, or any other activity offered, sold, or conducted elsewhere than upon the lot where the Sign is displayed.

Sign, Open House Directional: A Temporary Sign used to advertise an open house and direct traffic to the house for sale.

Sign Plane: The flat area free of architectural ornamentation on the façade of a building or structure that is intended primarily for or can be utilized for displaying a Sign. For buildings in which the Building Facade is offset into multiple faces, only the face on which the Sign will be located shall be used for calculating the Sign Plane.

Sign, Pole: A Sign which is supported by one or more poles, posts, or braces upon the ground, in excess of six (6) feet in height, not attached to or supported by any building.

Sign, Projecting: A Sign attached to a building or wall and extending laterally more than eighteen (18) inches from the face of a wall.

Sign, Pylon: A Sign constructed upon the ground on a solid foundation with the sign surface resting directly on top of such foundation and intended to identify multiple businesses.

Sign, Real Estate: A Sign announcing the sale, rental, or lease of real property.

Sign, Residential Event: A Temporary Sign utilized to advertise residential garage sales, yard sales, individual residential events, subdivision or neighborhood events and other similar events as determined by the Director.

Sign, Residential Real Estate: A Sign announcing the sale, rental, or lease of residential property.

Sign, Sandwich Board: A portable Sign for display in front of a business for the specific use of advertising that business.

Sign, Special Event: A Sign advertising or announcing a special community-wide event or activity conducted or sponsored by or on behalf of the City, Westfield-Washington Schools, a charitable organization or a not-for-profit corporation. A special community-wide event or activity is one that occurs not more than twice in any twelve (12) month period and seeks to attract donations, participants or customers throughout the City.

Sign, Time and Temperature: A Sign displaying only the current time and/or outdoor temperature.

Sign, Under Canopy: A Sign placed under a canopy or roof overhang to direct patron traffic to the store's public entrance.

Sign, Wall: A Sign attached to and/or integral with an exterior wall or window surface of a building, the face of which is parallel to the surface.

Sign, Window: A Sign that is applied to or attached to the exterior or interior of a window or located in such a manner within a building that it is visible from the exterior of the building through a window, but excludes merchandise window display.

Site Plan: A drawing, including a legal description of property involved, which

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shows the existing and proposed location and size of the following: all buildings, structures and yards; location and dimension of Building Setback Lines and Easements; widths and lengths of all entrances and exits to and from said property; location of all adjacent and adjoining Streets, service facilities, and other improvements such as planting areas.

Smoke Unit: The number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.

Special Exceptions: A use that requires a greater degree of scrutiny and review because of its potential adverse impact upon the immediate neighborhood and the community that is reviewed by the Board of Zoning Appeals for its characteristics and impacts to determine its suitability in a given location for the Zoning District in which it is permitted. [See also [Article 10.11 Special Exceptions](#).]

Stockyard: An enclosure with pens, sheds, and other buildings or structures for the temporary keeping of livestock for slaughter, market, or shipping.

Story: That portion of a building included between the surface of any floor and the surface of any floor next above it; or, if there is no floor above it, then the space between such floor and the ceiling next above it.

Story, Half: That portion of a building under a sloping gable, hip or gambrel roof, the wall plates on at least two (2) opposite exterior walls of which are not more than three (3) feet above the floor level of such half-story.

Street (or Road): Right-of-way designated for use by motor vehicles that is dedicated or deeded to a governmental entity and under the control of a public agency for public use. [See also [Article 8.9 Street and Right-of-Way Standards](#).]

Street, External: A Street identified on the Thoroughfare Plan as an Expressway, Arterial or Collector.

Street, Internal: A Street or Private Street other than an External Street.

Street, Private: A vehicular way established in an access easement or common area affording access to abutting properties for private users of such property and constructed in accordance with this Ordinance and not controlled or maintained by a governmental entity. A Driveway is not a Private Street for purposes of this Ordinance. [See also [Article 8.9 Street and Right-of-Way Standards](#).]

Structural Alternation: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any other substantial change in the exterior walls or the roof.

Structure: Anything constructed or erected which requires location on the ground or attachment of something having location on the ground.

Subdivision: The division of any parcel of land into two (2) or more parcels or Lots or, the combination of two (2) or more smaller parcels or Lots into one (1)

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Lot, for the purpose of transfer of ownership or development.

Subdivision, Major: Any Subdivision: (i) resulting in two (2) or more smaller Lots or parcels, at least one (1) of which is less than three (3) acres in area; (ii) the Subdivision results in two (2) or more smaller Lots or parcels, any of which front on or utilize a Private Street or easement for its only access; or, (iii) the Subdivision is for the purpose of Development (excluding cemeteries) and a Street is to be dedicated, reserved, or otherwise platted.

Subdivision Minor: A Subdivision along an existing Street, not involving the opening, widening, or extension of any Street (public or private), and involving not more than five (5) Lots, all of which are greater than three (3) acres, after the original tract has been completely subdivided.

Tavern (or Nightclub): A commercial establishment dispensing alcoholic beverages for consumption in the premises in which the service of food is only incidental to the consumption of such beverages. Example businesses include bars, sports bars, billiard parlors, micro-brewery, taverns, night clubs, comedy clubs, dance clubs, bottle clubs, and similar facilities.

Temporary: A period of not more than ten (10) consecutive calendar days and not to exceed a period of time totaling thirty (30) days within a calendar year.

Temporary Sign: A non-permanent Sign intended for a limited time of display that complies with [Article 6.17 Sign Standards](#).

Temporary Use and Event: A use or structure which is associated with a holiday or special event, or which is accessory to a permitted use and transitory in nature, and complies with [Article 6.18 Temporary Uses and Events](#).

Thoroughfare Plan: The [Westfield Thoroughfare Plan](#), adopted by the City of Westfield, as amended, which sets forth the location, classification, and other information pertaining to existing and proposed vehicular and pedestrian ways in the Jurisdiction of the Plan Commission and which illustrates the legally established goals and objectives of the City as they pertain to Rights-of-way.

Township: Washington Township, Hamilton County, Indiana.

Tree: A large, woody plant having one or several self-supporting stems or trunks and numerous branches.

Tree, Ornamental: A small to medium sized Tree, growing approximately fifteen (15) feet to forty (40) feet in height at maturity, planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.

Tree Protection: Measures taken to protect existing Trees from damage or loss during and after construction, such as installing temporary fencing, maintaining existing grades within the Dripline, and the use of tree wells.

Tree Protection Area: The area within the Dripline identified for preservation.

Tree, Shade: A large Tree growing to over forty (40) feet in height at maturity, usually Deciduous and planted to provide canopy cover shade.

Tree Specimen, Significant: A Tree noted for some desirable characteristic, such as flower, fruit, size, value to wildlife, uniqueness, or position in the landscape.

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Tree, Street: A Tree planted along a Street or Private Street, which is typically located within the Right-of-way in accordance with [Article 6.8 Landscaping Standards](#) and the City's Construction Standards.

Tree Well: A retaining wall or structure that preserves the existing grade and growing conditions within the Dripline of existing Trees.

Use: Any purpose for which a lot, building, or other structure or a tract of land may be designated, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Variance: Collectively, a Development Standards Variance and Use Variance.

Variance, Development Standards: A specific approval granted by the Board of Zoning Appeals in the manner set forth by this Ordinance, to deviate from a development standard (such as height, bulk, area) of this Ordinance.

Variance, Use: A specific approval granted by the Board of Zoning Appeals in the manner set forth by this Ordinance, to allow a use otherwise not permitted or specifically regulated by this Ordinance in a particular Zoning District.

Vegetation, Native: Any plant species that is indigenous to all or part of Hamilton County, Indiana and does not include plant species that have been introduced by man.

Vibration: Oscillatory motion transmitted through the ground.

Vines: A woody plant that has a spreading pattern of growth typically used on the ground, on walls, and on trellises.

Vision Clearance: A triangular space at the street corner of a corner lot, free from any kind of obstruction to vision as set forth in [Article 6.19 Vision Clearance Standards](#).

Wildlife Habitat, Significant: A geographic area which provides food, shelter, nesting sites, territory, and protection for important animal, insect, and/or plant species.

Window: Any single window pane or a series of adjacent window panes separated by mullion(s) of three (3) inches or less. Adjacent window panes set at different angles shall constitute separate windows regardless of the width of their mullion separation.

Wireless Communication Service Facilities: Antennas or antenna support structures for private or commercial mobile radio communications, broadcast radio or television; and associated equipment buildings, broadcasting studios, or radio or television business offices.

Yard: A space on the same Lot with a Principal Building that is open, unoccupied and unobstructed by structures other than by steps, walks, terraces, driveways, lamp posts and similar structures, or except as otherwise provided by this Ordinance.

Yard, Established Front: A Yard extending across the full width of the Lot between the Principal Building, as built, and the Front Lot Line, the depth of which is the

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least distance between the Front Lot Line and the Principal Building.

Yard, Established Rear: A Yard extending across the full width of the Lot between the Principal Building and the Rear Lot Line, the depth of which is the least distance between the Rear Lot Line and the Principal Building.

Yard, Established Side: A Yard extending the full depth of the Lot between the Principal Building and the Side Lot Line, the width of which is the least distance between the Side Lot Line and the Principal Building.

Yard, Front: A Yard extending across the full width of the Lot, the depth of which is the least distance between the Front Lot Line and the Front Yard Building Setback Line.

Yard, Rear: A Yard extending across the full width of the Lot, the depth of which is the least distance between the Rear Lot Line and the Rear Yard Building Setback Line.

Yard, Side: A Yard extending across the full depth of the Lot, the depth of which is the least distance between the Side Lot Line and the Side Yard Building Setback Line.

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CHAPTER 12

12.2 Chapter Amendment Log

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CHAPTER 13: USE TABLE

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13.1 Application

- A. **Applicability:** No Building, Structure or land shall be used and no Building or Structure 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 and specified in a Zoning District in which such a Building, Structure or land is located.
- B. **Land Use Specified:** Each land use is either a permitted, not permitted, or a special exception use in each Zoning District as set forth in [Article 13.2 Use Table](#) (the “Use Table”) or elsewhere in this Ordinance.
- C. **Special Exception Uses:** A Special Exception designation is not meant to imply that the use will be disallowed, but that the use requires a greater degree of scrutiny and review because of its potential adverse impact upon the immediate neighborhood and the community. The Board of Zoning Appeals reviews a Special Exception uses and its characteristics and impacts to determine its suitability in a given location for those Zoning Districts in which its permitted. The determination of whether the Special Exception may be approved shall be subject to a public hearing by the Board of Zoning Appeals and review in accordance with [Article 10.11 Special Exceptions](#).
- D. **Unlisted or Questionable Land Uses:** Any use not listed in the Use Table or otherwise permitted by this Ordinance shall be prohibited. The Director shall determine into which category a land use is placed if it is not specifically listed. This determination may be appealed to the Board of Zoning Appeals consistent with [Article 10.3 Appeals of Administrative Decisions](#).

13.2 Use Table

- A. [SEE FOLLOWING PAGES]

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P = Permitted Use • SE = Special Exception • E = Excluded by Overlay • Blank = Prohibited Use

	ZONING DISTRICTS															OVERLAYS				
LAND USE	AG-SF1	SF1	SF2	SF3	SF4	SF5	MF1	MF2	GO	LB	LB-H	GB	[reserved for future use]				EI	OI	SR 32	US 31
RESIDENTIAL USES																				
Assisted Living Facility							P	P												
Convent, monastery	SE		SE	SE	SE	SE	SE	SE		SE	SE	SE					SE			
Dwelling, Single-family	P	P	P	P	P	P					SE									
Dwelling, Duplex							P				SE									
Dwelling, Efficiency Unit																				
Dwelling, Multi-family							P	P	P		SE	SE								
Dwelling, Quadraplex									P		SE									
Dwelling, Townhouse							P													
Dwelling, Triplex									P		SE									
Group Home						SE	SE	SE												
Home Business	P	P	P	P	P	P	P	P												
Hospices							P	P												
Manufactured Home																				
Manufactured Home Park							SE	SE				SE								E
Mobile Home Park																				E
Nursing Home							P	P				SE								
Residential Facility	P	P	P	P	P	P														
BUSINESS USES																				
Auction rooms												P					P	P		E
Childcare / daycare centers							P		SE	P	P	P								
Commissary, food catering service	SE											P					P			E
Garden and Lawn Center												P					P			E
Gasoline Service Station										SE		SE								E
Health, fitness and exercise center										P	P	P								
Hotels (or Motels)												P								E
Kennel	SE																SE	SE		E

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	ZONING DISTRICTS															OVERLAYS						
LAND USE	AG-SF1	SF1	SF2	SF3	SF4	SF5	MF1	MF2	GO	LB	LB-H	GB	[reserved for future use]					EI	OI	SR 32	US 31	
Mortuaries												P										E
Office, General Services									P	P	P	P						P				
Office, Medical									P	P	P	P						P				
Office, Professional									P	P	P	P						P				
Restaurant, Fast Food											SE	P										E
Restaurant, Sitdown										P	P	P										
Restaurant, Specialty										P	P	P										
Restaurant, Takeout and Deli-style										P	P	P										E
Retail, High Intensity												P										E
Retail, Low Intensity										P	P	P										
Retail, Medium Intensity										P	P	P										
Retail, Special Handling												SE						SE	SE			E
Retail, Very High Intensity												SE										E
School, Fine Arts or Commercial									P	P	P	P										
School, Professional Trade										SE	SE	P						P	P			
Veterinary hospital, large animal	SE	SE										SE						SE	SE			E
CULTURAL & INSTITUTIONAL USES																						
Amphitheater / outdoor theater										P	P	P										E
Assembly halls / auditoriums	SE									SE	SE	P										
Civic center										P	P	P										
Educational Institution, without dormatory accomodations	P		P	P			P	P	P			P										
Educational Institution, with dormatory accomodations	SE	SE			P		P	P														
Hospitals (major)												P										
Museum / exhibition hall										P	P	P										
Public Safety and Service Uses	P	P	P	P	P	P	P	P	P	P	P	P						P	P			

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	ZONING DISTRICTS															OVERLAYS					
LAND USE	AG-SF1	SF1	SF2	SF3	SF4	SF5	MF1	MF2	GO	LB	LB-H	GB	[reserved for future use]					EI	OI	SR 32	US 31
Religious Institutions	P		P	P			P			P	P	P									
ENTERTAINMENT & RECREATIONAL USES																					
Amusement parks	SE											SE						SE	SE		E
Race track or speedway, outdoor																			SE		E
Camp, public or private	P	SE																			E
Club, Civic										P	P	P									
Club, Private	SE	SE		SE						P	P	P									
Development Amenity		P	P	P	P	P	P	P	P	P	P	P									
Entertainment Facility, Commercial												P									E
Golf Course	P	P	P																		
Park, public or private	P	P	P	P																	
Tavern (or Nightclub)										P	P	P						SE			E
Theater, indoor												P									E
Zoo	SE																				
INDUSTRIAL USES																					
Agricultural Processing																			P		E
Composting facility, commercial												SE						SE	SE		E
Data processing / call centers												P						P	P		
Engineering, research and testing laboratories																		P	P		
Industry, Extraction																		SE	SE		E
Industry, Heavy																			SE		E
Industry, Light																		P	P		
Industry, Medium																			P		E
Material Recycling Facility												SE						SE			E
Office, Construction Trade	SE											SE						P	P		E
Recycling Collector System											SE								P		E

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	ZONING DISTRICTS																OVERLAYS				
LAND USE	AG-SF1	SF1	SF2	SF3	SF4	SF5	MF1	MF2	GO	LB	LB-H	GB	[reserved for future use]					EI	OI	SR 32	US 31
Salvage Yard																		SE		E	
Trucking companies																		P	P		E
Warehousing and distribution operations (inside storage)																		P	P		E
Warehousing and distribution operations (outdoor storage)																			P		E
Wholesalers (inside storage)																		P	P		E
AGRICULTURE-RELATED USES																					
Agricultural Uses	P																				
Agritourism Uses	SE																				E
Auction barn for sale of livestock	SE																				E
Equestrian Facility	SE	SE																			E
Hobby Farm	P																				
Nursery	P											P									E
Stockyard	SE																		SE		E
MISCELLANEOUS & TEMPORARY USES																					
Cemetery	P		P																		E
Farm Stand	P								SE	SE	SE	SE									E
Model Home		P	P	P	P	P	P	P	SE			SE									
Temporary Uses & Events	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
TRANSPORTATION & COMMUNICATION USES																					
Airport and landing fields	SE																				E
Bus stations / transit stops												P						P			E
Commercial parking lots and structures, public												P						P			
Heliports	SE	SE										P						P	P		E
Motor Truck Terminal																			P		E

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	ZONING DISTRICTS																OVERLAYS				
LAND USE	AG-SF1	SF1	SF2	SF3	SF4	SF5	MF1	MF2	GO	LB	LB-H	GB	[reserved for future use]					EI	OI	SR 32	US 31
Utilities - not regulated by Indiana Utility Regulatory Commissions							P	P		P	P	P						P	P		E
Utilities - Regulated by Indiana Utility Regulatory Commission	P	P	P	P	P	P	P	P		SE	SE	SE						SE	SE		
Wireless Communication Service Facilities	SE																	P	P		E

CHAPTER 13

13.3 Chapter Amendment Log

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14.1 Adopted PUD District Ordinances:

The following is a list of Planned Unit Development District (PUD) Ordinances (see [Article 5.6 Planned Unit Development \(PUD\) District](#)) adopted by the Council. This Chapter shall automatically be amended upon the adoption by the Council of a new PUD District Ordinance or an ordinance amending an existing PUD District Ordinance. The Department should update and publish this Chapter accordingly, and at least annually.

- A. 146th Street Commerce Centre (10-09)
- B. 181st Street (14-03)
- C. Ackerson Farms (06-47)
- D. Andover ([03-40](#), as amended 06-24, 12-37, 13-22)
- E. Andover North (06-12)
- F. Aurora (06-55)
- G. Bridgewater (06-49 (restated), as amended 08-05, 09-17, 10-01, 10-05, 10-08, 10-19, 11-01, 12-10, 13-06, 13-08, 14-02, 14-16, 14-20)
- H. CarDon Senior Living (14-07)
- I. Centennial North ([05-10](#), as amended 06-09, 11-33)
- J. Centennial South (02-01, as amended [04-42](#), 09-05, 11-02)
- K. Chatham Hills (13-24)
- L. CrossRoads Church (12-03)
- M. Custom Commerce Park (03-29, as amended 11-05)
- N. Eagletown (06-46, as amended 07-07)
- O. Enclave and Springs (13-16)
- P. Grand Park Village (12-46)
- Q. Hall and House (12-25)
- R. Harmony (12-14)
- S. [reserved for future use]
- T. Kalorama Park (10-15, as amended 10-21)
- U. Keeneland Park (12-45)
- V. Mainstreet at Grand Park (11-29)
- W. Maple Knoll (04-02, as amended 05-22, 14-08)
- X. Maples at Springmill (10-14, as amended 12-11)
- Y. Oak Manor ([03-37](#))
- Z. Oak Manor North ([05-04](#))
- AA. Oak Ridge Point (07-34, as amended 08-48, 11-09)
- AB. Maple Knoll (04-02)
- AC. North Walk (14-09)

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CHAPTER 14



- AD. Southoak ([03-121](#))
- AE. [reserved for future use]
- AF. Springmill Trails (11-19, as amended 13-15, 14-11)
- AG. Sycamore on the Monon (05-12)
- AH. Towne Road Crossing (07-26)
- AI. Towne West (12-24)
- AJ. Union Street Flats (09-02)
- AK. Viking Meadows ([04-22](#), as amended 10-30, 12-05, 13-11, 13-17, 13-25)
- AL. Westgate ([06-37](#))
- AM. Westoak ([04-01](#), as amended [04-40](#))

14.2 Chapter Amendment Log

Chapter Last Updated:	May 28, 2014
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ORDINANCE NO. 14-31

An Ordinance of the City of Westfield, Indiana amending Ordinance No. 13-33 and amending the Statement of Investment Policy, Objectives & Guidelines regarding City Funds Received from the Sale of the City's Water and Wastewater Assets to Citizens Energy Group.

WHEREAS, the City of Westfield, Indiana (the "City") entered into an agreement with Citizens Energy Group ("Citizens") to sell the City's Water and Wastewater Assets to Citizens; and

WHEREAS, IC 36-4-10-2 provides that the Clerk-Treasurer of the City is the fiscal officer of the City; and

WHEREAS, Section 1 of IC 5-13-9 (the "Municipal Investment Act") provides that the fiscal officer of the City and the Common Council of the City may invest any City funds in accordance with the Municipal Investment Act; and

WHEREAS, Section 5.6(3)(B)(ii) of the Municipal Investment Act provides that any investment of City funds shall not be for a period of longer than two (2) years from the date of purchase of the investment unless the City has in effect an investment policy adopted by the fiscal body of the City in accordance with Section 5.7 of the Municipal Investment Act; and

WHEREAS, Section 5.7 of the Municipal Investment Act provides that the Common Council as the fiscal body of the City may adopt an investment policy authorizing the investment of public funds of the City for more than two (2) years and not more than five (5) years, which the policy must: (1) be in writing; (2) be adopted at a public meeting; (3) provide for the investment of public funds with the approval of the investing officer; (4) provide that the investments must be made in accordance with the Municipal Investment Act; (5) limit the total investments outstanding under Section 5.7 of the Municipal Investment Act to not more than twenty-five percent (25%) of the total portfolio of public funds invested by the City, including balances in transaction accounts; and (6) state a date on which the policy expires, which may not be more than four (4) years after the date on which the policy takes effect; and

WHEREAS, Section 5.7(c) of the Municipal Investment Act provides that a fiscal body that has adopted a written investment policy under Subsection 5.7(a) of the Municipal Investment Act may adopt an ordinance authorizing its investing officer to make investments having a stated final maturity that is: (1) more than two (2) years but (2) not more than five (5) years after the date of purchase or entry into a repurchase agreement and that such ordinance and the power to make an investment described in Subsection 5.7(c) expire on the date on which the policy expires, which may not be more than four (4) years after the date on which the policy takes effect; and

WHEREAS, the Municipal Investment Act provides that an investment that complies with Section 5.7 of the Municipal Investment Act when the investment is made remains legal even if: (1) the investment policy has expired; or (2) a subsequent decrease in the total portfolio

of public funds invested by the City, including balances in transaction accounts, causes the percentage of investments outstanding under Section 5.7 of the Municipal Investment Act to exceed twenty-five percent (25%) of the total portfolio of public funds invested by the City;

WHEREAS, the City may contract with a federally regulated investment advisor or other institutional money manager to make investments under Section 5.7 of the Municipal Investment Act; and

WHEREAS, this Common Council on December 9, 2013 adopted Ordinance No. 13-33 approving a Statement of Investment Policy, Objectives & Guidelines and taking certain actions related thereto and this Common Council now desires to make certain amendments to such Investment Policy;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA THAT:

SECTION 1. APPROVAL OF AMENDED INVESTMENT POLICY. Section E.1.(d) of the Statement of Investment Policy, Objectives & Guidelines approved by Ordinance No. 13-33 is hereby amended by adding at the end of the first sentence the following language:

, or, if the security is not rated by any one of Standard & Poor's, Moody's, or Fitch, securities of such Issuer having the same or materially similar pledged revenue source of re-payment have within the past two (2) years been rated in one of the three highest categories by any one of Standard & Poor's, Moody's, or Fitch.

The Statement of Investment Policy, Objectives & Guidelines, as amended in the form attached hereto as Exhibit A, is hereby approved.

SECTION 2. INVESTMENT OFFICERS. City Securities Corp. and Oppenheimer & Co., Inc. are hereby designated to continue as Investment Officers.

SECTION 3. SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 4. REPEAL OF CONFLICTING PROVISIONS. All resolutions, ordinances and orders, or parts thereof, in conflict with the provision of this Ordinance, are, to the extent of such conflict, hereby repealed or amended.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect immediately upon its passage and signing by the Mayor.

[Remainder of Page Intentionally Left Blank]

ADOPTED AND PASSED THIS ____ DAY OF _____, 2014, BY THE
WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD COMMON COUNCIL
Hamilton County, Indiana

WESTFIELD COMMON COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steve Hoover

Steve Hoover

Steve Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Bob Smith

Bob Smith

Bob Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert Stokes

Robert Stokes

Robert Stokes

ATTEST:

Cindy Gossard, Clerk-Treasurer
City of Westfield, Indiana

I hereby certify that ORDINANCE 14-31 was delivered to the Mayor of Westfield on the ____ day of _____, 2014, at ____:____ __.m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE Ordinance 14-31

this ____ day of _____, 2014

at ____:____ __.m.

J. Andrew Cook, Mayor

I hereby VETO Ordinance 14-31

this ____ day of _____, 2014

at ____:____ __.m.

J. Andrew Cook, Mayor

I affirm under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ James T. Crawford, Jr.

This document prepared by
James T. Crawford, Jr., Esq.
KRIEG DEVAULT, LLP
161 Lakeview Drive
Noblesville, Indiana 46060
(317) 238-6239

KD_IM-6323150_1.DOC

EXHIBIT A

Statement of Investment Policy, Objectives & Guidelines

SECTION 1 FOR CITY FUNDS RECEIVED FROM WATER AND WASTEWATER ASSET SALE

amended effective as of the date of adoption of Ordinance 14-__

Prepared by: City of Westfield, Indiana

A. SCOPE AND INTENT

This document sets forth the investment policy of the City of Westfield, Indiana (“City”). This Statement of Investment Policy, Objectives & Guidelines (the “Investment Policy”) applies to the investment of funds received from the sale of the Water and Wastewater Assets to Citizen’s Energy Group. The Common Council of the City (the “Council”) is responsible for fiduciary oversight of these invested funds. The Council has approved this Investment Policy in furtherance of its goal to meet the investment objectives listed in Section C hereof.

B. PURPOSE OF THIS INVESTMENT POLICY

This Investment Policy has been adopted by the Council in order to:

1. Define and assign the responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of City assets.
3. Establish the relevant investment time horizon(s) for which the assets will be managed.
4. Manage assets according to prudent standards.
5. Establish a basis for evaluating investment results.
6. Adopt and implement the provisions of Indiana Code 5-13-9-1 et seq. (the “Municipal Investment Act”) including, in particular, Section 5.7 of the Municipal Investment Act.

In general, the purpose of this statement is to outline a philosophy and attitude which will guide the investment of the assets toward the desired results while complying with Indiana Code. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

C. OBJECTIVES OF THE INVESTMENT POLICY

The primary objectives, in priority order, of the City's investment program shall be:

1. Safety – Safety of principal shall be the foremost objective of the investment program. Investments shall be made in a manner that seeks to ensure the preservation of capital in the overall portfolio. Credit risk will be minimized both by diversification (limiting the potential for loss from any one issuer or any one type of security) and by limiting investments to the types of securities described in Section E hereof. Market risk will be minimized both by structuring the portfolio so that investments generally mature in time to meet anticipated cash requirements (limiting the need to sell securities prior to maturity) and by investing primarily in shorter-term securities.
2. Liquidity – The investment portfolio shall be structured so that investments generally mature in time to meet anticipated cash requirements. Further, since all cash requirements cannot be anticipated, the portfolio shall consist primarily of cash equivalents and securities with active secondary or resale markets.
3. Yield – The investment portfolio shall be structured with the objective of attaining a market rate of return, taking into account the constraints of safety and liquidity described above. Return on investment is less important than safety and liquidity.
4. Full Investment – To the extent practicable, all funds shall be fully deployed as earning assets.
5. Minimal Turnover – Securities shall typically not be sold prior to maturity, with the following exceptions: (1) a declining-credit security can be sold early to minimize the potential loss of principal; (2) a security can be sold and replaced with another if such action improves the quality or yield of the portfolio; (3) a security can be sold early to meet liquidity needs.

D. DELEGATION OF AUTHORITY

The authority to operate and manage the investment program is granted to the Council which may delegate such authority, together with any investment officer(s) that the Council designates as such (together, the "Investment Officers"). The Clerk-Treasurer, the Council and any additional Investment Officers, which may include third party investment advisors, shall establish controls and procedures to implement this program which shall include regular quarterly reporting to the Council.

The Standard of Care shall be as follows:

1. Prudence – Investments shall be made in accordance with the prudent person standard. This standard provides that an investor shall act with the care, skill,

prudence, and diligence under the circumstances then prevailing, that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.

Investment Officers acting in accordance with this investment policy statement and any written procedures and exercising due diligence, shall be relieved of personal liability for an individual security's credit risk or market price changes, provided that deviations from expected results are reported in a timely fashion and that appropriate action is taken to control adverse developments.

2. Ethics and Conflicts of Interest – Investment Officers shall refrain from personal business activity that could conflict with the proper execution and management of the City's investment program, or that could impair their ability to make impartial decisions. Investment Officers should also maintain knowledge of all applicable laws, rules and regulations; and not knowingly violate, or participate or assist in the violation of, such laws, rules and regulations.

E. INVESTMENT INSTRUMENTS

1. The City is only permitted to invest funds in those investments authorized by Indiana law, including but not limited to the Municipal Investment Act, which authorizations are hereby made a part of this policy. It is the policy of the City and this Council to limit allowable investments to the following types of securities:
 - (a) U.S. Treasury securities (e.g. bills, notes, bonds, SLGS, STRIPS, and TIPS), which are backed by the full faith and credit of the U.S. government.
 - (b) Federal agency obligations (including both federally related institution securities and federally sponsored agency securities), including, but not limited to, Ginnie Mae, Fannie Mae, Freddie Mac, Farmer Mac, and Federal Home Loan Bank debt: Any full-faith-and-credit securities are permitted
 - (c) Mortgage pass-through securities issued by Ginnie Mae, Fannie Mae or Freddie Mac: Any full-faith-and-credit securities are permitted
 - (d) Municipal Securities issued by an Indiana local government entity, a quasi-governmental entity related to the state, or a unit of government, municipal corporation or special taxing district in Indiana, so long as the Issuer has not defaulted on any of its obligations within the past twenty years and the security is rated in one of the three highest rating categories by any one of Standard & Poor's, Moody's, or Fitch or, if the security is not rated by any one of Standard & Poor's, Moody's, or Fitch, securities of such Issuer having the same or materially similar pledged revenue source of re-payment have within the past two (2) years been rated in one of the three highest

categories by any one of Standard & Poor's, Moody's, or Fitch. For avoidance of doubt, the three highest categories would include ratings in the AAA, AA and A categories, including any modifiers of + or – in the case of Standard & Poor's or Fitch and 1, 2 or 3 in the case of Moody's.

- (e) Repurchase agreements, if at least 105% collateralized by any of the above
 - (f) Money market mutual funds regulated by the Securities and Exchange Commission
 - (i) Only open-end no-load funds are permitted (i.e. no commission or fee shall be charged on purchases or sales of shares)
 - (ii) Permitted funds will be those that limit assets of the fund to U.S. Treasury securities, federal agency securities, and repurchase agreements collateralized by the same; or that are rated in the highest rating category by one of the Rating Agencies
 - (iii) These funds seek to maintain a stable net asset value of \$1.00 per share
 - (iv) By definition these funds will meet the requirements for portfolio maturity, portfolio quality, and portfolio diversification in Rule 2a-7 under the Investment Company Act of 1940
 - (g) Time deposits in state or nationally chartered banks (who are designated as a depository under Section 5 of the Municipal Investment Act) whose deposits are insured by the Federal Deposit Insurance Corporation, with balances not to exceed \$250,000 per institution.
- 2. Additional securities may be added to the above approved list with the approval of the Council.
 - 3. Investments are not permitted in certain derivatives, nor in certain mutual funds which invest primarily in such securities. Investments specifically prohibited are those characterized as being illiquid, highly volatile and difficult to value. Prohibited securities include, but are not limited to, mortgage derivatives such as Z-bonds, PAC-2s and Re-REMICS.

F. INVESTMENT PARAMETERS

- 1. Maximum Maturity – To the extent possible, investments will be matched with anticipated cash flow requirements. Subject to the limitations of Section 5.7 of the Municipal Investment Act, the City shall not invest in securities maturing on a date which is more than two (2) years from the date of purchase, provided, however, (i) not more than 25% of the City's investment of its total portfolio of public funds may be invested for more than two (2) years but not more than five (5) years from the date of purchase; and (ii) that funds which are not public funds

such as, but not limited to, indentured reserve funds are not subject to the foregoing maturity limitations and may exceed five (5) years if the maturities of such investments precede the expected use of such funds.

2. Average Maturity – The average weighted maturity of the portfolio should not typically exceed three years.
3. Diversification – Investments shall be diversified by type of security and issuer. Except for cash equivalents and U.S. Treasury securities, the total portfolio shall consist of no more than 40% of any single type of security or single name (e.g., City of Indianapolis).

G. SAFEKEEPING AND CUSTODY

1. All investment transactions, including, but not limited to, those completed by telephone, shall be supported in writing and approved by an Investment Officer. Written communication may be made by facsimile on City letterhead.
2. Book Entry – The City shall strive to invest in book-entry securities, thus avoiding physical delivery of securities. No securities shall be physically stored or kept in the offices of the City.
3. Custodial Safekeeping – Securities purchased from any bank or dealer, including collateral when appropriate, shall generally be placed with the appropriate trustee or with an independent third party for safekeeping.

Any security that is able to be wired over the FedWire will be kept safe in a customer or trust account in a Federal Reserve Bank through the appropriate custodial bank.

Any security not able to be wired over the FedWire, that is held by the Depository Trust Corporation (DTC), shall be held in the name of the City or trustee, if applicable, through the appropriate custodial bank.

Securities may be held by a broker/dealer to the extent the broker/dealer serves as an agent for the City or the appropriate trustee. No securities will be held by a broker/dealer without evidence of adequate Securities Investor Protection Corporation (SIPC) insurance (or protection judged to be equivalent by the City or the appropriate trustee).

4. Delivery vs. Payment – All securities will be held in accounts in the name of the City or the appropriate trustee. Securities will be deposited prior to the release of funds. Securities held by a third party custodian will be evidenced by safekeeping receipts.

H. PERFORMANCE AND REPORTING

1. Annual Report – The Investment Officers shall prepare an investment report at least annually which shall provide a clear picture of the status of the portfolio and transactions made over the preceding year. Such report shall be designed to allow the Council to ascertain whether the investment activities during the reporting period have conformed to this Investment Policy.
2. Performance – The portfolio should achieve a market rate of return during a market environment of stable interest rates. Portfolio performance shall be compared at least annually to the yield on 3-month, 6-month and 1-year U.S. Treasury obligations. Such performance comparison may be included in the quarterly report of the City.

I. INVESTMENT POLICY DURATION AND REVIEW

1. Expiration – This Investment Policy expires on December 9, 2017.
2. Periodic Review – To assure continued relevance of the policies, objectives, guidelines, as established in this Investment Policy, the Council plans to review this investment statement at least every year.

This **Investment Policy**, as amended, was approved by Ordinance 14-31 on _____, 2014 by the Council.

Statement of Investment Policy, Objectives & Guidelines

for City Funds Received from Water and Wastewater Asset Sale

amended effective as of the date of adoption of Ordinance 14-

Prepared by: City of Westfield, Indiana

A. SCOPE AND INTENT

This document sets forth the investment policy of the City of Westfield, Indiana (“City”). This Statement of Investment Policy, Objectives & Guidelines (the “Investment Policy”) applies to the investment of funds received from the sale of the Water and Wastewater Assets to Citizen’s Energy Group. The Common Council of the City (the “Council”) is responsible for fiduciary oversight of these invested funds. The Council has approved this Investment Policy in furtherance of its goal to meet the investment objectives listed in Section C hereof.

B. PURPOSE OF THIS INVESTMENT POLICY

This Investment Policy has been adopted by the Council in order to:

1. Define and assign the responsibilities of all involved parties.
2. Establish a clear understanding for all involved parties of the investment goals and objectives of City assets.
3. Establish the relevant investment time horizon(s) for which the assets will be managed.
4. Manage assets according to prudent standards.
5. Establish a basis for evaluating investment results.
6. Adopt and implement the provisions of Indiana Code 5-13-9-1 et seq. (the “Municipal Investment Act”) including, in particular, Section 5.7 of the Municipal Investment Act.

In general, the purpose of this statement is to outline a philosophy and attitude which will guide the investment of the assets toward the desired results while complying with Indiana Code. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical.

C. OBJECTIVES OF THE INVESTMENT POLICY

The primary objectives, in priority order, of the City's investment program shall be:

1. Safety – Safety of principal shall be the foremost objective of the investment program. Investments shall be made in a manner that seeks to ensure the preservation of capital in the overall portfolio. Credit risk will be minimized both by diversification (limiting the potential for loss from any one issuer or any one type of security) and by limiting investments to the types of securities described in Section E hereof. Market risk will be minimized both by structuring the portfolio so that investments generally mature in time to meet anticipated cash requirements (limiting the need to sell securities prior to maturity) and by investing primarily in shorter-term securities.
2. Liquidity – The investment portfolio shall be structured so that investments generally mature in time to meet anticipated cash requirements. Further, since all cash requirements cannot be anticipated, the portfolio shall consist primarily of cash equivalents and securities with active secondary or resale markets.
3. Yield – The investment portfolio shall be structured with the objective of attaining a market rate of return, taking into account the constraints of safety and liquidity described above. Return on investment is less important than safety and liquidity.
4. Full Investment – To the extent practicable, all funds shall be fully deployed as earning assets.
5. Minimal Turnover – Securities shall typically not be sold prior to maturity, with the following exceptions: (1) a declining-credit security can be sold early to minimize the potential loss of principal; (2) a security can be sold and replaced with another if such action improves the quality or yield of the portfolio; (3) a security can be sold early to meet liquidity needs.

D. DELEGATION OF AUTHORITY

The authority to operate and manage the investment program is granted to the Council which may delegate such authority, together with any investment officer(s) that the Council designates as such (together, the "Investment Officers"). The Clerk-Treasurer, the Council and any additional Investment Officers, which may include third party investment advisors, shall establish controls and procedures to implement this program which shall include regular quarterly reporting to the Council.

The Standard of Care shall be as follows:

1. Prudence – Investments shall be made in accordance with the prudent person standard. This standard provides that an investor shall act with the care, skill, prudence, and diligence under the circumstances then prevailing, that a prudent

person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.

Investment Officers acting in accordance with this investment policy statement and any written procedures and exercising due diligence, shall be relieved of personal liability for an individual security's credit risk or market price changes, provided that deviations from expected results are reported in a timely fashion and that appropriate action is taken to control adverse developments.

2. Ethics and Conflicts of Interest – Investment Officers shall refrain from personal business activity that could conflict with the proper execution and management of the City's investment program, or that could impair their ability to make impartial decisions. Investment Officers should also maintain knowledge of all applicable laws, rules and regulations; and not knowingly violate, or participate or assist in the violation of, such laws, rules and regulations.

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1. The City is only permitted to invest funds in those investments authorized by Indiana law, including but not limited to the Municipal Investment Act, which authorizations are hereby made a part of this policy. It is the policy of the City and this Council to limit allowable investments to the following types of securities:
 - (a) U.S. Treasury securities (e.g. bills, notes, bonds, SLGS, STRIPS, and TIPS), which are backed by the full faith and credit of the U.S. government.
 - (b) Federal agency obligations (including both federally related institution securities and federally sponsored agency securities), including, but not limited to, Ginnie Mae, Fannie Mae, Freddie Mac, Farmer Mac, and Federal Home Loan Bank debt: Any full-faith-and-credit securities are permitted
 - (c) Mortgage pass-through securities issued by Ginnie Mae, Fannie Mae or Freddie Mac: Any full-faith-and-credit securities are permitted
 - (d) Municipal Securities issued by an Indiana local government entity, a quasi-governmental entity related to the state, or a unit of government, municipal corporation or special taxing district in Indiana, so long as the Issuer has not defaulted on any of its obligations within the past twenty ~~(20)~~-years and the security is rated in one of the three highest rating categories by any one of Standard & Poor's, Moody's, or Fitch- or, if the security is not rated by any one of Standard & Poor's, Moody's, or Fitch, securities of such Issuer having the same or materially similar pledged revenue source of re-payment have within the past two (2) years been rated in one of the three highest categories by any one of Standard & Poor's, Moody's, or Fitch. For avoidance of doubt, the three highest categories would include ratings in the AAA, AA and A categories, including any modifiers of + or – in the case of Standard & Poor's or Fitch and 1, 2 or 3 in the case of Moody's.

- (e) Repurchase agreements, if at least 105% collateralized by any of the above
 - (f) Money market mutual funds regulated by the Securities and Exchange Commission
 - (i) Only open-end no-load funds are permitted (i.e. no commission or fee shall be charged on purchases or sales of shares)
 - (ii) Permitted funds will be those that limit assets of the fund to U.S. Treasury securities, federal agency securities, and repurchase agreements collateralized by the same; or that are rated in the highest rating category by one of the Rating Agencies
 - (iii) These funds seek to maintain a stable net asset value of \$1.00 per share
 - (iv) By definition these funds will meet the requirements for portfolio maturity, portfolio quality, and portfolio diversification in Rule 2a-7 under the Investment Company Act of 1940
 - (g) Time deposits in state or nationally chartered banks (who are designated as a depository under Section 5 of the Municipal Investment Act) whose deposits are insured by the Federal Deposit Insurance Corporation, with balances not to exceed \$250,000 per institution.
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Any security that is able to be wired over the FedWire will be kept safe in a customer or trust account in a Federal Reserve Bank through the appropriate custodial bank.

Any security not able to be wired over the FedWire, that is held by the Depository Trust Corporation (DTC), shall be held in the name of the City or trustee, if applicable, through the appropriate custodial bank.

Securities may be held by a broker/dealer to the extent the broker/dealer serves as an agent for the City or the appropriate trustee. No securities will be held by a broker/dealer without evidence of adequate Securities Investor Protection Corporation (SIPC) insurance (or protection judged to be equivalent by the City or the appropriate trustee).

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H. PERFORMANCE AND REPORTING

1. Annual Report – The Investment Officers shall prepare an investment report at least annually which shall provide a clear picture of the status of the portfolio and transactions made over the preceding year. Such report shall be designed to allow the Council to ascertain whether the investment activities during the reporting period have conformed to this Investment Policy.

2. Performance – The portfolio should achieve a market rate of return during a market environment of stable interest rates. Portfolio performance shall be compared at least annually to the yield on 3-month, 6-month and 1-year U.S. Treasury obligations. Such performance comparison may be included in the quarterly report of the City.

I. INVESTMENT POLICY DURATION AND REVIEW

1. Expiration – This Investment Policy expires ~~four (4) years after the date of adoption of Ordinance 13-33~~ on December 9, 2017.
2. Periodic Review – To assure continued relevance of the policies, objectives, guidelines, as established in this Investment Policy, the Council plans to review this investment statement at least every year.

This **Investment Policy**, as amended, was approved by Ordinance ~~13-33~~14- on , ~~2013~~ , 2014 by the Council.

Summary Report

June 02, 2014 12:16 PM

	Document	Location
Original	Statement of Investment Policy, Objectives & Guidelines - City of Westfield, Indiana_5541732_4	INDYWORKSITE:INDY (5541732,4:)
Revised	Statement of Investment Policy, Objectives & Guidelines - City of Westfield, Indiana_5541732_5	INDYWORKSITE:INDY (5541732,5:)

	Number of Changes	Markup
Insertions	7	<u>Sample Text</u>
Deletions	6	Sample Text
Moved from	0	Sample Text
Moved to	0	<u>Sample Text</u>
Total	13	

RESOLUTION 14-117

Document Cross Reference Nos. 200600049310

A RESOLUTION OF THE CITY OF WESTFIELD CONCERNING MODIFICATION TO THE WRITTEN COMMITMENTS ESTABLISHED FOR FRAMPTON ESTATES

WHEREAS, the City of Westfield is governed by its duly elected Mayor and City Council, ("Council") who have the duty and authority to administer the Westfield-Washington Township Zoning Ordinance and all other related zoning matters within Washington Township, Indiana through a Joinder Agreement with the Township;

WHEREAS, the Westfield Town Council, on August 14, 2006, enacted Ordinance 06-38, recorded as Instrument No. 200600049310, which rezoned the real estate described in Exhibit A attached hereto.

WHEREAS, Commitments Concerning the Use and Development of Real Estate were made to the Westfield Town Council conditioned upon approval of Ordinance No. 06-38 (the "Previous Commitments") and were recorded in the Office of the Recorder of Hamilton County, Indiana, as part of Instrument No. 200600049310;

WHEREAS, Grand Communities, Ltd., now has filed a petition with the Westfield-Washington Township Advisory Plan Commission (the "Commission") under Docket XXX-REZ-XX to modify the Previous Commitments (the "Modification");

WHEREAS, the Commission has forwarded the Modification, attached hereto as Exhibit B, under Docket XXX-REZ-XX to the Westfield City Council with a _____ recommendation, which was certified by the Secretary of the Commission on _____, 2014; and

WHEREAS, the Westfield City Council is subject to the provisions of Ind. Code § 36-7-4-1512 concerning any action on this request;

NOW THEREFORE BE IT RESOLVED BY THE WESTFIELD CITY COUNCIL THAT THE PREVIOUS COMMITMENTS SHALL BE AND HEREBY ARE REPEALED IN THEIR ENTIRETY AND REPLACED WITH THE COMMITMENTS DESCRIBED IN THE MODIFICATION.

This Resolution shall be in full force and effect immediately upon adoption.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ALL OF WHICH IS ORDAINED THIS ____ DAY OF _____, 2014.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Chuck Lehman	_____ Chuck Lehman	_____ Chuck Lehman
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

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

Prepared by: Steven D. Hardin, Esq., Faegre Baker Daniels, LLP, 600 E. 96th Street, Suite 600, Indianapolis, IN 46240.

I hereby certify RESOLUTION 14-XXX was delivered to the Mayor of Westfield on the _____ day of _____, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 14-XXX
this _____ day of _____, 2014.

I hereby VETO RESOLUTION 14-XXX
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

EXHIBIT A

Legal Description

A part of the Northwest and Southwest Quarter of the Northwest Quarter of Section 10, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 10; thence North 88 degrees 57 minutes 01 seconds East along the North line of said Quarter Quarter Section a distance of 1,303.82 feet to the Northeast corner thereof; thence South 00 degrees 03 minutes 50 seconds West along the East line of said Quarter Quarter Section a distance of 1,317.92 feet to the Southeast corner thereof; thence South 89 degrees 12 minutes 17 seconds West along the South line of said Quarter Quarter Section a distance of 808.21 feet to the East line of the West fifteen (15) acres of the Southwest Quarter of the Northwest Quarter of said Section 10; thence South 00 degrees 09 minutes 20 seconds West along said East line a distance of 1,314.37 feet to the South line of said Quarter Quarter Section; thence South 89 degrees 27 minutes 31 seconds West along the South line of said Quarter Quarter Section a distance of 497.58 feet to the Southwest corner thereof; thence North 00 degrees 09 minutes 20 seconds East along the West line of said Quarter Quarter Section a distance of 704.71 feet to the Southwest corner of real estate described in Instrument Number 2000-9029 in the Office of the Recorder, Hamilton County, Indiana; thence along the East line of said real estate the following eight (8) calls: (1) South 89 degrees 50 minutes 40 seconds East 16.50 feet; (2) North 25 degrees 43 minutes 10 seconds East 55.62 feet; (3) North 00 degrees 09 minutes 20 seconds East 100.22 feet; (4) North 11 degrees 29 minutes 49 seconds East 50.85 feet; (5) North 00 degrees 09 minutes 20 seconds East 100.00 feet; (6) North 03 degrees 39 minutes 37 seconds West 150.26 feet; (7) North 25 degrees 33 minutes 42 seconds West 55.31 feet; (8) North 89 degrees 50 minutes 40 seconds West 16.50 feet to a point on the West line of said Quarter Quarter Section; thence North 00 degrees 09 minutes 20 seconds East along said West line 1419.61 feet to the place of beginning, subject to all legal highways, rights-of-ways, easements, and restrictions of record.

EXHIBIT B

COMMITMENTS CONCERNING THE USE AND DEVELOPMENT OF REAL ESTATE

Grand Communities, Ltd. (the "Owner") makes the following commitments to the Westfield City Council (the "Council") regarding the use and development of the following described real estate (the "Real Estate") located in Hamilton County, Indiana:

Section 1. Description of Real Estate:

See attached Exhibit "A".

Section 2. Petition: _____

Section 3. Statement of Modification of Previous Commitments.

In 2006, Commitments Concerning the Use and Development of Real Estate were made to the Westfield Town Council conditioned upon approval of Ordinance No. 06-38 regarding the use and development of the Real Estate and were recorded in the Office of the Recorder of Hamilton County, Indiana, as part of Instrument No. 200600049310 (the "Previous Commitments"). On _____, 2014, the Council approved Resolution 14-____, which repealed in its entirety the Previous Commitments and replaced them with the Commitments set forth herein.

Section 4. Statement of Commitments:

These commitments shall run with land, be binding on the Owner of the Real Estate, subsequent owners of the Real Estate and other persons acquiring an interest therein.

- A. The number of homes on the Real Estate shall not exceed 73 unless otherwise permitted herein.
- B. At the time the Owner records its secondary plat for Frampton Estates, Owner shall also record an easement against and dedicate approximately nine (9) acres of land along the southern portion of the Real Estate to the City of Westfield for use as a public park (the "Park"). If the City elects, in the future, not to use the Park as a public park facility, then the Park shall revert back to the Owner.
- C. In the event that the City of Westfield does not desire to receive the Park dedication or in the event the Park reverts back to the Owner, Owner reserves the right to develop such property into eleven (11) additional single-family home lots with minimum lot widths of 90' at building line. In such case, the number of homes on the Real Estate shall not exceed 82.

- D. At least twenty-five percent (25%) of the Real Estate, including the Park, shall be set aside as Open Space. If the Park is dedicated to the City, then at least twelve (12%) of the remainder of the Real Estate shall be set aside as Open Space.
- E. No two-family attached homes shall be permitted on the Real Estate.
- F. The existing trees along the Real Estate's northern and southern property lines, as identified on the attached Concept Plan, shall be preserved within a tree conservation easement ("Easement"), which shall be recorded. Within the Easement, no trees with a diameter at breast height ("DBH") in excess of six inches (6") or evergreens eight feet (8') or more in height (the "Protected Trees") shall be removed unless the tree is damaged, diseased or dead, or required to be removed in order to comply with safety requirements of any governmental agency. If a Protected Tree is damaged or otherwise removed, except as permitted to be removed as listed above, then the developer, builder or homeowner (as the case may be) shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH subject to the availability of space for their healthy growth in the Easement.
- G. Owner agrees to install, at Owner's expense, "No Trespassing" signs along the Real Estate's southern property line, as shown on the attached Concept Plan, attached hereto as Exhibit "B."
- H. Lots along the Real Estate's northern property line shall have a minimum rear yard setback of fifty (50'), as measured from the property line.
- I. Architecture:
 - a. Vinyl siding shall be prohibited. Exterior materials shall include brick, stone and/or fiber cement board.
 - b. All homes shall be substantially similar in quality and character as the elevations attached hereto as Exhibit "C."
 - c. If a dwelling both: (i) is on a lot adjacent to either 161st Street or Ditch Road; and (ii) has a rear elevation facing either 161st Street or Ditch Road, then that dwelling shall include: (a) a minimum thirty-six inch (36") brick or stone plinth with water table on all sides; and (b) a rear façade that incorporates one (1) or more of the following features: first-floor masonry, rear sun room, rear screened porch, or other rear façade modulation, or a breakfast nook.
 - d. Minimum living area:
 - i. One-story home: 2000 square feet
 - ii. Two-story home: 2400 square feet

- J. Perimeter Landscaping
 - a. The landscaping along Ditch Road and 161st Street shall incorporate mounds and trees substantially consistent with the landscaping shown on the Concept Plan.

Section 5. Modification of Commitments

These commitments may be modified or terminated only by a decision made at a public hearing after notice has been given in accordance with the City's Rules of Procedures.

Section 6. Effective Date

The commitments contained herein shall be effective upon the approval of Petition _____ and shall continue in effect until modified or terminated by the Westfield City Council.

Section 7. Recording

The undersigned hereby authorizes the Secretary of the Council to record these commitments in the Office of the Recorder of Hamilton County, Indiana, upon approval of Petition _____.

Section 7. Enforcement

These commitments may be enforced by the City Council of the City of Westfield, Hamilton County, Indiana.

IN WITNESS WHEREOF, Owner has caused this commitment to be executed as of the _____ day of _____, 2014.

Grand Communities, Ltd

By: _____

Its: _____ (Title)

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared _____, who having been duly sworn acknowledged the execution of the foregoing Commitments.

Witness my hand and Notarial Seal this _____ day of _____, 2014.

My Commission Expires:

Notary Public

Printed _____

Residing in _____ County

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

Prepared by: Steven D. Hardin, Attorney at Law, Faegre Baker Daniels, LLP, 600 East 96th Street, Suite 600, Indianapolis, Indiana 46240, (317) 569-9600

EXHIBIT A

Legal Description

A part of the Northwest and Southwest Quarter of the Northwest Quarter of Section 10, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the Northwest Quarter of said Section 10; thence North 88 degrees 57 minutes 01 seconds East along the North line of said Quarter Quarter Section a distance of 1,303.82 feet to the Northeast corner thereof; thence South 00 degrees 03 minutes 50 seconds West along the East line of said Quarter Quarter Section a distance of 1,317.92 feet to the Southeast corner thereof; thence South 89 degrees 12 minutes 17 seconds West along the South line of said Quarter Quarter Section a distance of 808.21 feet to the East line of the West fifteen (15) acres of the Southwest Quarter of the Northwest Quarter of said Section 10; thence South 00 degrees 09 minutes 20 seconds West along said East line a distance of 1,314.37 feet to the South line of said Quarter Quarter Section; thence South 89 degrees 27 minutes 31 seconds West along the South line of said Quarter Quarter Section a distance of 497.58 feet to the Southwest corner thereof; thence North 00 degrees 09 minutes 20 seconds East along the West line of said Quarter Quarter Section a distance of 704.71 feet to the Southwest corner of real estate described in Instrument Number 2000-9029 in the Office of the Recorder, Hamilton County, Indiana; thence along the East line of said real estate the following eight (8) calls: (1) South 89 degrees 50 minutes 40 seconds East 16.50 feet; (2) North 25 degrees 43 minutes 10 seconds East 55.62 feet; (3) North 00 degrees 09 minutes 20 seconds East 100.22 feet; (4) North 11 degrees 29 minutes 49 seconds East 50.85 feet; (5) North 00 degrees 09 minutes 20 seconds East 100.00 feet; (6) North 03 degrees 39 minutes 37 seconds West 150.26 feet; (7) North 25 degrees 33 minutes 42 seconds West 55.31 feet; (8) North 89 degrees 50 minutes 40 seconds West 16.50 feet to a point on the West line of said Quarter Quarter Section; thence North 00 degrees 09 minutes 20 seconds East along said West line 1419.61 feet to the place of beginning, containing 53.902 acres, more or less, subject to all legal highways, rights-of-ways, easements, and restrictions of record.

EXHIBIT B – CONCEPTUAL PLAN



Grand Communities, Ltd.

Frampton Estates Westfield, Indiana

Illustrative Site Rendering



April 29, 2014

EXHIBIT C – HOME ELEVATIONS



MASTERPIECE COLLECTION



MASTERPIECE COLLECTION

ORDINANCE NUMBER 14-27

AN ORDINANCE OF THE CITY OF WESTFIELD TO VACATE A PUBLIC WAY AND EASEMENT ALONG WEST 151ST STREET

WHEREAS, the City of Westfield, Indiana (“City”) is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council (“Council”);

WHEREAS, it is the duty and the responsibility of the Council to maintain public rights-of-way and easements for the benefit of the citizens of the City and to vacate those no longer needed for the benefit of the public; and

WHEREAS, it has come to the attention of the Council that the items herein described are no longer necessary as a benefit to the general public and should be vacated.

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD CITY COMMON COUNCIL MEETING IN SESSION AS FOLLOWS:

SECTION 1. That pursuant to Ind. Code§36-9-2-5, the City has the authority to vacate public rights-of-way and now finds that the public right-of-way identified in Exhibit “A”, attached hereto and incorporated by reference herein is no longer needed for the benefit of the public.

SECTION 2. That pursuant to Ind. Code§36-7-3-16, the City has the authority to vacate recorded easements and now finds that the recorded easements identified in Exhibit “A” are no longer needed for the benefit of the public.

SECTION 3. That after a duly advertised and published public hearing, the Council finds that it is proper to vacate the public right-of-way and the easements described and graphically identified in Exhibit “A”.

SECTION 4. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods and the approval of a secondary plat for Section 1 of Harmony as shown in Exhibit “A”, all as provided by the laws of the State of Indiana.

ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,
HAMILTON COUNTY, INDIANA THIS _____ DAY OF _____, 2014.

**WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA**

Voting For

Voting Against

Abstain

James Ake

James Ake

James Ake

Steve Hoover

Steve Hoover

Steve Hoover

Robert Horkay

Robert Horkay

Robert Horkay

Chuck Lehman

Chuck Lehman

Chuck Lehman

Bob Smith

Bob Smith

Bob Smith

Cindy Spoljaric

Cindy Spoljaric

Cindy Spoljaric

Robert Stokes

Robert Stokes

Robert Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

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

Prepared by: Bryan D. Stumpf, Vice-President, Estridge Development Management, 12965 Old Meridian Street, Carmel, IN 46032, (317) 669-62009.

I hereby certify ORDINANCE 14-27 was delivered to the Mayor of Westfield on the _____ day of _____, 2014, at _____ .m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-27
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 14-27
this _____ day of _____, 2014.

J. Andrew Cook, Mayor

EXHIBIT A

Legal Description

Part of the Northeast and Southeast Quarters of Section 16, Township 18 North, Range 3 East, Washington Township, Hamilton County, Indiana, more particularly described as follows:

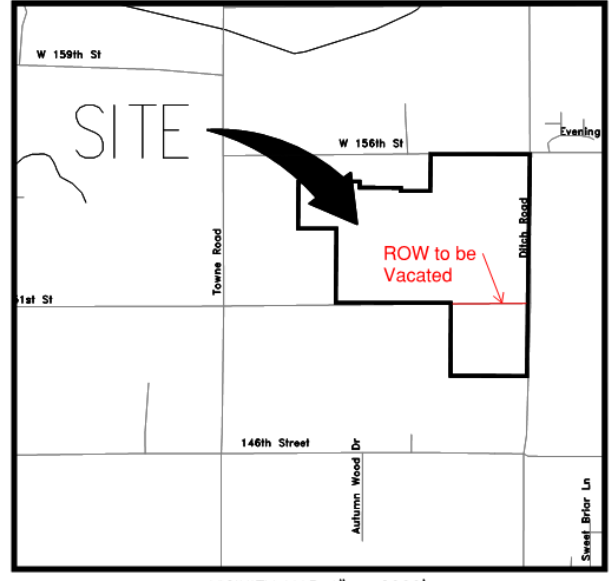
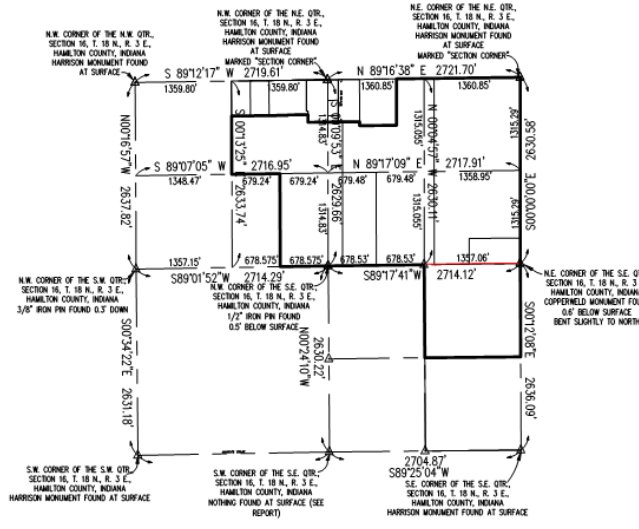
Commencing at the Northeast Corner of the Southeast Quarter of said Section 16, Township 18 North, Range 3 East; thence South 89 degrees 17 minutes 41 seconds West (Basis of Bearings assumed from an ALTA/ACSM Land Title Survey by The Schneider Corporation, Project No. 4934.002, dated September 20, 2013) 16.50 feet along the North Line of said Southeast Quarter to the apparent western right-of-way line of Ditch Road and the POINT OF BEGINNING of this description; thence South 00 degrees 12 minutes 08 seconds East 16.50 feet parallel with the East Line of said Southeast Quarter to the apparent southern right-of-way line of West 151st Street; thence South 89 degrees 17 minutes 41 seconds West 1340.53 feet parallel with the North Line of said Southeast Quarter and along said southern right-of-way line; thence North 00 degrees 11 minutes 33 seconds West 33.00 feet into the Northeast Quarter of said Section 16 to the apparent northern right-of-way line of West 151st Street; thence North 89 degrees 17 minutes 41 seconds East 1340.58 feet parallel with the South Line of said Northeast Quarter and along said northern right-of-way line to said western right-of-way line of Ditch Road; thence South 00 degrees 00 minutes 00 seconds East 16.50 feet to the POINT OF BEGINNING, containing 44,237.9 square feet (1.016 acres), more or less.

SECTION 16, T. 18 N., R. 3 E. HAMILTON COUNTY, INDIANA

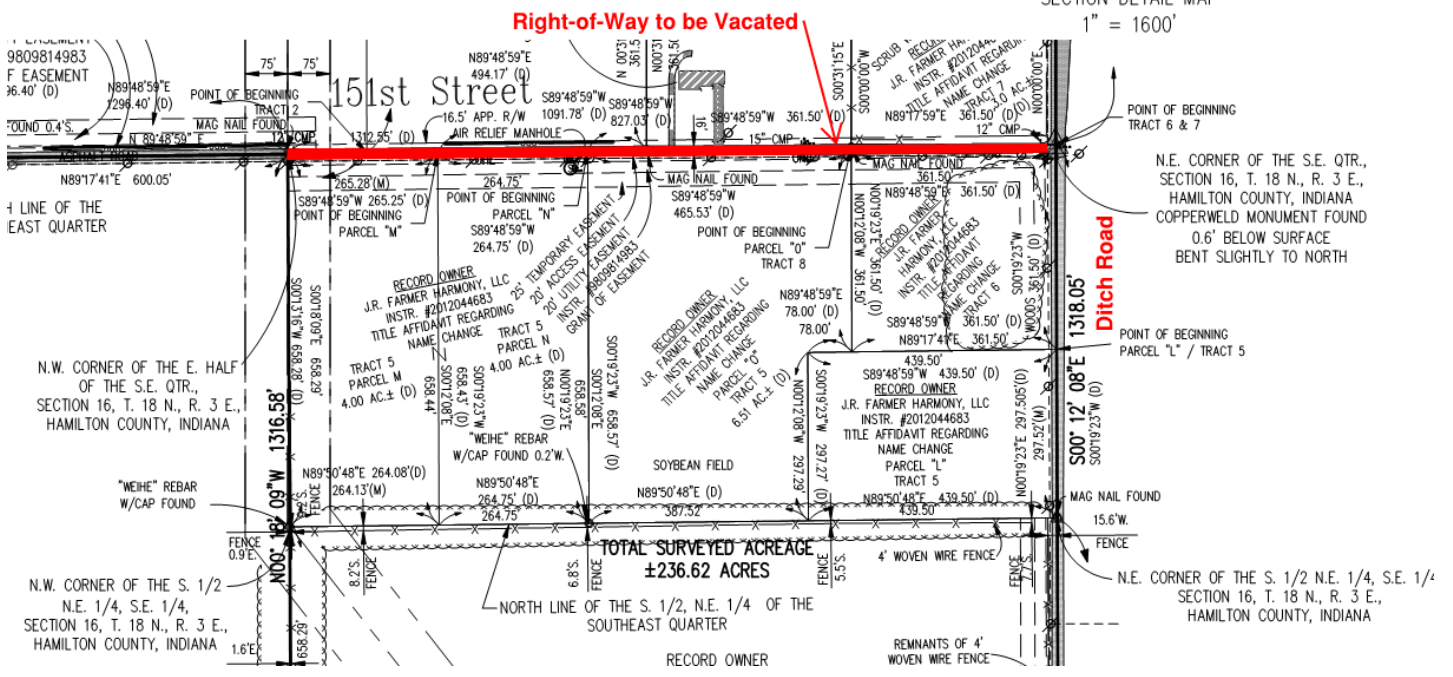
ES

Title

ment,



VICINITY MAP 1" = 2000'
SECTION DETAIL MAP
1" = 1600'



RESOLUTION 14-113

A RESOLUTION ADOPTING A FISCAL PLAN FOR THE ANNEXATION OF LANDS DEFINED IN ORDINANCE 14-18

WHEREAS, the City of Westfield (the “City”) desires to annex certain parcels as identified in **Exhibit A** and **Exhibit B** (the “Annexation Area”) into the municipality; and,

WHEREAS, pursuant to Indiana Code § 36-7-4-3.1 a fiscal plan must be prepared and adopted by resolution prior to such annexation; and,

WHEREAS, the required fiscal plan, included as **Exhibit C** (the “Fiscal Plan”) and attached hereto and made a part hereof, has been prepared and presented to the Council for consideration; and

WHEREAS, the Fiscal Plan has been reviewed and complies with the requirements of Indiana Code § 36-4-3-13.

NOW, THEREFORE, BE IT RESOLVED that the Fiscal Plan attached hereto and made a part hereof is hereby approved and adopted by the Westfield City Council.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

ADOPTED AND PASSED THIS _____ DAY OF JUNE, 2014, BY THE WESTFIELD CITY COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD CITY COUNCIL
HAMILTON COUNTY, INDIANA

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Charles Lehman

Charles Lehman

Charles Lehman

Robert J. Smith

Robert J. Smith

Robert J. Smith

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

ATTEST:

Cindy J. Gossard, Clerk-Treasurer

I hereby certify that RESOLUTION 14-113 was delivered to the Mayor of Westfield
on the _____ day of June, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 14-113
this _____ day of June, 2014.

J. Andrew Cook, Mayor

I hereby VETO Resolution 14-113
this _____ day of June, 2014.

J. Andrew Cook, Mayor

EXHIBIT A
ANNEXATION AREA

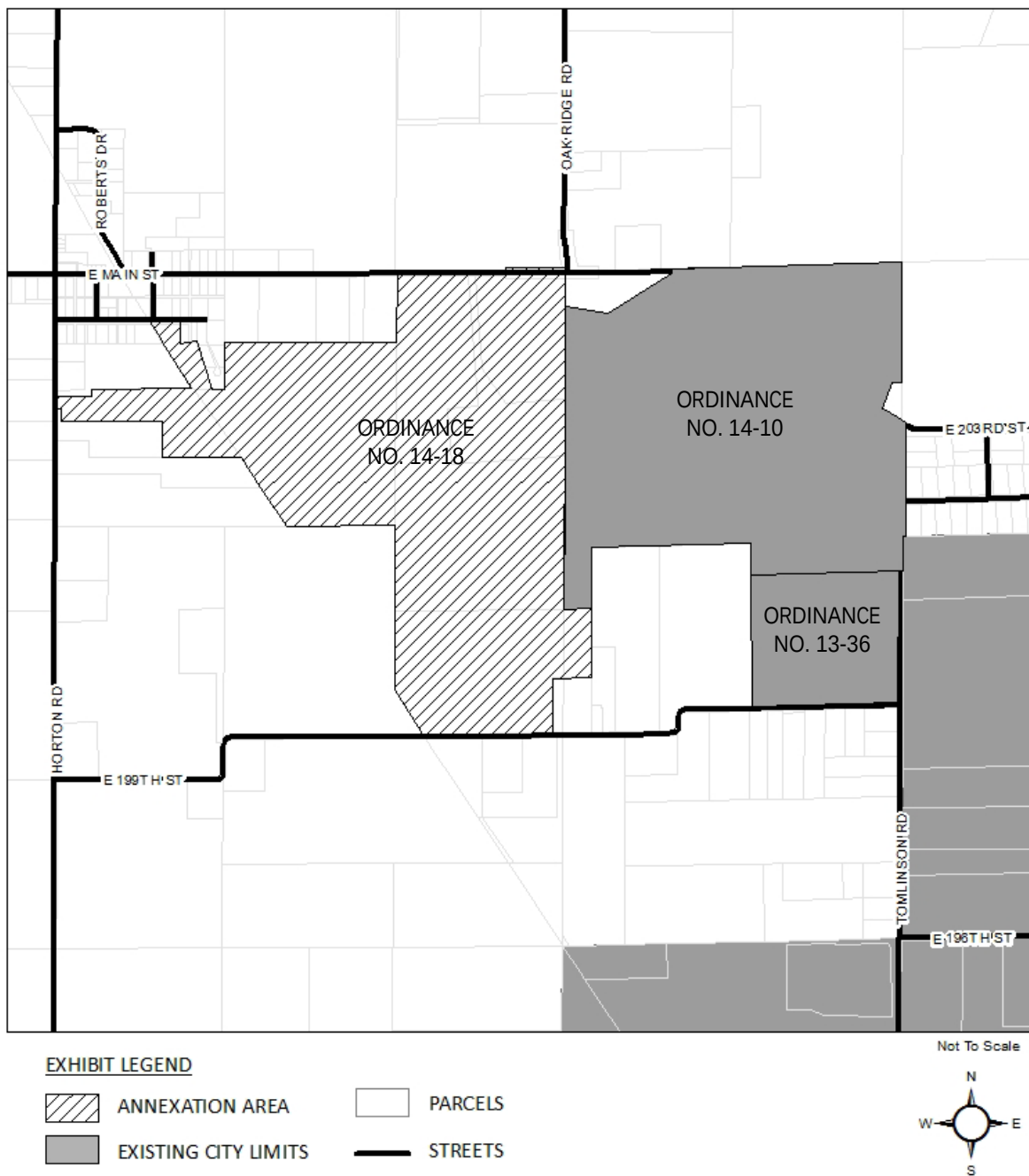


EXHIBIT B
ANNEXATION AREA
LEGAL DESCRIPTIONS

This description includes seven (7) parcels of land:

Parcel No. 08-05-23-00-00-012.001
Parcel No. 08-05-23-00-00-012.000
Parcel No. 08-05-24-00-00-039.000
Parcel No. 08-05-23-00-00-013.000
Parcel No. 08-05-23-00-00-007.001
Parcel No. 08-05-23-00-00-011.000
Parcel No. 08-05-23-01-03-014.000

Parcel No. 08-05-23-00-00-012.001
Parcel No. 08-05-23-00-00-012.000
Parcel No. 08-05-23-00-00-013.000
Parcel No. 08-05-24-00-00-039.000

Part of the Northeast and Southeast Quarters of Section 23 and part of the Northwest and Southwest Quarters of Section 24, all in Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 47.15 feet to the southeast corner of the 0.336-acre parcel described in Instrument Number 200100054118, on file in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter 636.35 feet to the northwest corner Parcel No. 08-05-24-00-00-040.000 ("Parcel 40") as described in Instrument Number 9508535, on file in the Office of said Recorder, the following three (3) courses are along the north, east and south lines of said Parcel 40; 1)thence North 88 degrees 24 minutes 37 seconds East 222.50 feet; 2)thence South 00 degrees 15 minutes 45 seconds West 1,956.43 feet; 4)thence South 88 degrees 24 minutes 37 seconds West 1.52 feet to the east line of Parcel No. 08-05-24-00-00-039.000 ("Parcel 39"), as described in said Instrument Number 9508535; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Parcel 39 a distance of 540.33 feet to the north line of the 3.01-acre parcel described in Instrument Number 2007034241, on file in the Office of said Recorder, the following two (2) courses are along the north and west lines of said 3.01-acre parcel; 1)thence South 88 degrees 45 minutes 51 seconds West 294.37 feet; 2)thence South 00 degrees 10 minutes 40 seconds West 445.58 feet to the south line of Parcel No. 08-05-23-00-00-013.000 as described in said Instrument Number 9508535; thence South 89 degrees 51 minutes 00 seconds West along said south line 971.17 feet to the northeast right-of-way line of a railroad; thence North 33 degrees 22 minutes 47 seconds West along said railroad right-of-way line 508.24 feet to the west line of the East Half of said Southeast Quarter; thence North 00 degrees 16 minutes 52 seconds East along

the west line of said East Half 560.81 feet to the southwest corner of the East Half of said Northeast Quarter; thence North 00 degrees 11 minutes 30 seconds East along the west line of the East Half of said Northeast Quarter 2,639.20 feet to the northwest corner of the East Half of said Northeast Quarter; thence North 89 degrees 49 minutes 09 seconds East along the north line of said Northeast Quarter 852.77 feet to the northwest corner of said 0.336-acre parcel, the following two (2) courses are along the west and south lines of said 0.336-acre parcel; 1)thence South 00 degrees 11 minutes 42 seconds East 47.27 feet; 2)thence North 89 degrees 48 minutes 18 seconds East 475.41 feet to the POINT OF BEGINNING. Containing 120.49 acres, more or less.

EXCEPT:

Parcel No. 08-05-24-00-00-040.000

Beginning at the SE Corner of the NE $\frac{1}{4}$ of Section 23, Township 19N, Range 3E

N 89-11-17 E Distance: 216.612'

N 00-04-29 E Distance: 1,955.162'

S 87-09-56 W Distance: 207.684'

S 00-20-40 W Distance: 1,947.995'

Back to the point of beginning, containing 10 acres more or less.

ALSO INCLUDING:

Parcel No. 08-05-23-00-00-011.000

Parcel No. 08-05-23-01-03-014.000

A part of the North Half of Section 23, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 23, Township 19 North, Range 3 East; thence South 00 degrees 11 minutes 40 seconds west (assumed bearing) 532.00 feet along the east line of the west half said Northeast Quarter to the Northeast Corner of a 10 acre tract of real estate described in miscellaneous record 138, page 456 and the point of beginning of this description; thence south 00 degrees 11 minutes 40 seconds west 1438.00 feet along the east line of the West Half of said Northeast Quarter to the Southeast Corner of a 29 acre tract of real estate described in miscellaneous record 138, page 456; thence South 89 degrees 49 minutes 15 seconds West 853.78 feet along the south line of said 29 acre tract and said south line extended westerly to the centerline of the abandoned Monon railroad; thence North 33 degrees 25 minutes 35 seconds West 1897.30 feet along said centerline to the westerly extension of the north line of a 1.79 acre tract of real estate described in instrument 9809817997; thence North 89 degrees 47 minutes 54 seconds East 229.73 feet along said westerly extension and along the north lines of said 1.79 acre tract (the following 3 courses are along the easterly lines of said 1.79 acre tract); 1) thence South 00 degrees 07 minutes 27 seconds West 152.00 feet; 2) thence North 89 degrees 47 minutes 54 seconds East 123.75 feet; 3) thence South 18 degrees 24 minutes 07 seconds

East 386.27 feet to the north line of said 29 acre tract; thence North 89 degrees 49 minutes 15 seconds East 107.46 feet along the north line of said 29 acre tract to the Southwest Corner of said 10 acre tract; thence North 0 degrees 11 minutes 40 seconds East 370.00 feet to the Northwest Corner of said 10 acre tract; thence North 89 degrees 49 minutes 15 seconds East 1320.00 feet to the point of beginning. Containing 43.066 acres, more or less.

ALSO INCLUDING:

Parcel No. 08-05-23-00-00-007.001

A part of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, more particularly described as follows:

Beginning at a point on the West line of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, said point being South 00 degrees 05 minutes 36 seconds West (assumed bearing) 955.10 feet from a point marking the Northwest corner of the East Half of the said Quarter Section; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 279.8 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 50.00 feet; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 776.91 feet to a point on the Western right-of-way line of the Monon Railroad; thence South 33 degrees 29 minutes 09 seconds East along the Westerly right-of-way line of said Railroad a distance of 655.37 feet; thence North 89 degrees 46 minutes 55 seconds West (North 89 degrees 57 minutes 30 seconds West deed bearing) a distance of 572.72 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 293.41 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 796.49 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 92.00 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 50.00 feet to a point on the West line of the East Half of the said Quarter Section; thence North 00 degrees 05 minutes 36 seconds East along the West line of the East Half of the said Quarter Section a distance of 100.96 feet to the point of beginning, containing 9.257 acres, more or less.

Together with the Westerly Half of the right of way of the former Monon Railway East of and adjacent thereto as set out in Instruments recorded December 24, 2003 as Instrument Number 200300126946 and February 10, 2005 as Instrument Number 200500008158 in the Office of the Recorder of Hamilton County, Indiana.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206th Street, Worman Street, Horton Road and East 199th Street.



Fiscal Plan for the Voluntary Annexation of Real Estate Contiguous to the City of Westfield, Indiana

**Generally described as real estate located
Between 199th Street and 206th Street, east of Horton Road**

**This Fiscal Plan Supports
Ordinance 14-18**

**This Fiscal Plan is Exhibit C
of Resolution 14-113**

Introduction

The purpose of this report is to outline the estimated fiscal impact of annexation upon the City of Westfield, Hamilton County, Indiana (the “City”) and ability of the City to provide necessary municipal capital and non-capital services to an area proposed for annexation. The area proposed for annexation that is analyzed in this report is referred to as the “Annexation Area”, as further described herein, and is located adjacent to the existing corporate limits of the City. The annexation is one hundred percent (100%) voluntary.

The Indiana Statute (I.C. § 36-4-3-13(d)) governing annexation activity by the City requires the preparation of a written fiscal plan and the establishment of an annexation policy, by resolution, as of the date of the annexation ordinance. The fiscal plan is required to present cost estimates and a plan for the extension of municipal services to the area proposed for annexation. Municipal services of a non-capital nature are required to be provided within one (1) year of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the city limits. Municipal services of a capital improvement nature are required to be provided within three (3) years of the effective date of the annexation ordinance to the extent that such services are equivalent in standard and scope to those services already provided within the City’s corporate limits.

This report contains an analysis of the revenues and expenditures that will result from the annexation of certain territory by the City. While the City is committed to providing the highest quality service to all areas of the community, the dollar figures presented here are only estimates and are subject to change. Variations may occur depending upon the rate and extent of future development, an increase or decrease in the cost of providing municipal services, or fluctuations in future property assessments.

City of Westfield Annexation Philosophy and Plan
--

A. Fiscal Policy of the City

The annexation policies of the City are expected to correspond with the fiscal policies of the City. Therefore, it is the policy of the City that annexation(s) should only be undertaken under circumstances which are not adverse to the fiscal interests of the current residents and taxpayers of the City.

B. General Philosophy and Plan

The philosophy and plan of the City is to annex real estate into its corporate limits in accordance with the terms of Title 36, Article 4, Chapter 3 of the Indiana Code. The adoption of an ordinance authorizing such annexation shall:

1. Provide the residents of the City with a broad, stable and growing economic tax base; and,
2. Provide a plan for the quality and quantity of urban development in a coordinated manner; and,
3. Provide for preservation and enhancement of the public's overall health, safety, and welfare, regarding all of the City's residents; and,
4. Allow for the provision of services to the annexed area in a cost effective manner that will not significantly impact existing residents.

C. Further the City Shall:

1. First seek the voluntary annexations of new developments contiguous to the current City boundaries. It is the preference of the City to implement annexation action under the most amenable conditions possible. Therefore, in cases where it is practical and possible to achieve consensus, the City prefers to proceed with annexation under the "voluntary" provisions of the statute (I.C. § 36-4-3-5);
2. Enhance the existing assessed valuation of the municipality through voluntary annexations;
3. Consider any requests for voluntary annexation from existing parcels; and
4. Consider any forced annexations that will positively impact the future economic development opportunity of the community.

Parcel Analysis

A. Description

The Annexation Area is generally described as the real estate located between 199th Street and 206th Street, east of Horton Road (see attached **Exhibit 1**) and encompasses an area of approximately one hundred and sixty-three (163) acres. The Annexation Area is the third in a series of annexations of property zoned the Chatham Hills PUD District (Ordinance No. 13-24).

B. Contiguity

Property contiguous with the City's corporate limits may be annexed into the City's corporate limits (I.C. § 36-4-3-1.5). I.C. § 36-4-3-1.5 provides that property is considered "contiguous" if at least one-eighth (1/8) of the aggregate external boundaries of the property coincides with the boundaries of the City's corporate limits. In determining if property is contiguous, a strip of land less than one hundred fifty (150) feet wide which connects the City's corporate limits to the Annexation Area is not considered a part of the boundaries of either the City's corporate limits or the property to be annexed. The Annexation Area meets the contiguity requirements of I.C. § 36-4-3-1.5.

C. Population and Structures

The Annexation Area has an estimated three (3) inhabitants and contains one (1) residential structure and several agriculturally-related structures for an existing farm.

D. Zoning

The Annexation Area is currently located within the planning and zoning jurisdiction of the City through a joinder agreement with Washington Township served by the Westfield-Washington Township Advisory Plan Commission. If annexed, then the parcels will remain in the same planning jurisdiction. The zoning designation of the Annexation Area is Planned Unit Development District (Chatham Hills PUD District Ordinance No. 13-24).

E. Property Tax Assessment

The 2013 pay 2014 total net assessed valuation of all real property and its improvements located within the Annexation Area is \$581,300.

F. Municipal Property Tax Rate

The existing 2013 pay 2014 property tax rate assessed to all real property and its improvements within the Annexation Area is \$2.64780 per \$100 of assessed valuation. This is the total Washington Township tax rate assessed to all real property and its improvements, subject to any property tax "cap" which may apply.

G. Council District

The Annexation Area will be incorporated into Council District 3.

H. Proposed Build-out

The build-out of the Annexation Area is planned to include a portion of a larger residential golf course development pursuant to the approved Chatham Hills Planned Unit Development District. Site construction is planned by the developer to be initiated in 2014. For purposes of this analysis, the following improvements are projected to be completed during the five (5) year period following annexation:

a. Single-Family Homes:

- 2015: Fifty (50) units¹ with an estimated market value of \$650,000 per unit.
- 2016: Fifty (50) units² with an estimated market value of \$725,000 per unit.
- 2017: Fifty (50) units³ with an estimated market value of \$600,000 per unit.
- 2018: Fifty (50) units⁴ with an estimated market value of \$600,000 per unit.

b. Open Space/Golf Course Uses:⁵ The Annexation Area is planned to include an estimated one hundred and five (105) acres of open space, which will include three (3) holes (approximately forty (40) acres) of a larger eighteen-hole Pete-Dye designed golf course that is projected to begin construction in late 2014 and completed in 2016. The estimated phasing of the open space is:

- 2015: Thirty (30) acres
- 2016: Thirty (30) acres
- 2017: Thirty (30) acres
- 2018: Fifteen (15) acres

Estimated property taxes and revenue generated from the projected build-out are set forth in **Exhibit 3**, Table 1 and Table 2.

¹ Improvements are estimated to be comparable to the following subdivisions in Westfield: Brookside and the Bridgewater Club.

² Improvements are estimated to be comparable to the following subdivisions in Westfield: Hidden Oaks of the Bridgewater Club and Whistling Straits of the Bridgewater Club.

³ Improvements are estimated to be comparable to the following subdivisions in Westfield: Brookside and Whistling Straits of the Bridgewater Club.

⁴ Improvements are estimated to be comparable to the following subdivisions in Westfield: Whistling Straits of the Bridgewater Club.

⁵ Improvements are estimated to be comparable to the Bridgewater Club in Westfield.

Municipal Services

The City currently extends to its citizens a range of public services. These services are provided by different municipal departments. Each department has a unique function within the municipal service system of the City. These departments include: Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development.

Each of the municipal service sectors are analyzed in this section to determine the impact of annexation on their ability to provide both capital and non-capital services to the area proposed for annexation as required by Indiana law. The method used to determine the fiscal impact of annexation is known as "fiscal impact analysis".

Fiscal impact analysis is a method of evaluation that is used to measure and project the direct public costs and revenues associated with residential and non-residential growth within a municipality. It explores public (government) costs and revenues. It does not consider private costs of public actions. Therefore, special assessments on real property or the value of land dedications required of developers are considered private revenues. Individual services contracted for homeowners associations, neighborhoods, and similar groups are also considered private.

All municipal departments were analyzed to determine the extent of the effect of annexation. The Police, Fire, Public Works, Clerk/Treasurer's Office, Informatics, Administration, Parks and Recreation, and Economic and Community Development were identified as being affected by the annexation of new territory.

The cost estimates of planned services to be furnished to the Annexation Area have been computed based on the 2013 budget. Input from all departments was gathered, and a careful analysis was prepared in an effort to meet all the requirements of Indiana Code § 36-4-3. Each capital service was assessed by Department of Public Works and where required, specific improvements and costs have been programmed. The findings and proposed improvements for each capital service are detailed in this report. Some services may already be available to the Annexation Area, while others will have to be initiated. In each case, it is shown in this report, that service is being/will be proposed to the Annexation Area, in a manner equivalent in standard and scope to the services being providing within the City's corporate boundaries.

The existing levels and costs of service provisions for each department are outlined below:

A. Police Department

The forty (40) uniformed officers of the Police Department of the City provide the citizens of the City with public safety and emergency response service throughout the corporate limits of the City. The individual services include: neighborhood patrols for the prevention of crime; detection and apprehension of criminal offenders; resolution of domestic disputes; anti-crime and anti-drug public education; traffic control and accident reporting; and the creation and maintenance of a general feeling of safety and security throughout the community.

The services provided by the Police Department vary in their individual requirements for personnel and financial resources and are subject to annual review and approval by the City Council.

Annual operating costs associated with the addition of one (1) uniformed police officer(s) include salary, overtime pay, holiday pay, clothing and uniform allowance, health insurance, training, pension benefits and administrative overhead.

Capital one-time costs associated with the addition of one (1) uniformed police officer(s) include a patrol vehicle and related equipment. These costs have been factored together to arrive at necessary service level increases for various areas under consideration for annexation.

The City will provide police service to the Annexation Area upon the effective date of annexation through the extension of an existing patrol area with existing personnel.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned services of a capital improvement nature within three years: Any additional capital requirements can be accommodated in future budgets through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

B. Fire Department

The seventy (70) Firefighters, EMS and Paramedics personnel employed by the Fire Department of the City respond to fire emergencies, chemical and hazardous material spills, and general life safety emergencies throughout the corporate limits of the City and throughout the remainder of Washington Township, Hamilton County (the "Township").

The personnel of the Fire Department are assigned to three (3) fire stations located on Dartown Road (headquarters), 151st Street, and Grassy Branch Road. Each station is the primary respondent to emergencies within its assigned geographical area. Secondary response is provided by personnel and equipment by volunteer and paid city and town fire departments in adjacent communities.

The existing Fire Department currently has the entire responsibility for services throughout the Township; therefore, the annexation of this new territory will not change the impact or the need for additional personnel.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel because current services already serve the Township.

Provision of planned service of a capital nature within three years: The capital services required for future growth in the fire services for the Township will be managed through the

annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

C. Public Works Department

a. Street Division

The Street Division is part of the Public Works Department of the City and has responsibility for the maintenance and upkeep of all streets and public rights-of-way within the corporate limits of the City. Maintenance activities include potholes and curb repair, mowing of weeds and other vegetation, street sweeping, sign maintenance and replacement, pavement striping, and snow removal. It is also responsible for reconstruction of sidewalks and policing of rights-of-way to support safe travel.

Other responsibilities include resurfacing and reconstruction of all public roads with the exception of the roads falling under the jurisdiction of the Indiana Department of Transportation or the Hamilton County Highway Department. These operations are primarily funded from the Motor Vehicle Highway (“MVH”) fund, the Local Road and Street Fund (“LR&S”), and the Road and Street Improvement Fund. The budgeted expenditures for MVH and LR&S is approximately \$980,000 for 2014, which is approximately \$5,280 per road mile.

Provision of planned service of a non-capital nature within one year: Street Division services can be provided for the Annexation Area with existing personnel, based upon the road miles of approximately 0.50 miles (2,679 feet) for 199th Street, 206th Street, Horton Road and Worman Street and the estimated 4.0 miles of new road miles to be built by the developer within the Annexation Area. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

Provision of planned service of a capital nature within three years: The intent of the City with respect to future road construction is to require future developers to improve, or contribute financially to the improvement of existing roadways in accordance with the impact of any proposed development. Potential road improvements are evaluated each year and the Annexation Area will be part of that annual review process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3 and Table 4.

b. Water and Sewer Services

Citizens of Westfield Water, LLC (the “Utility”) operates the water and wastewater works within the City. Services for both water and sewer are provided within the corporate limits of the City and into portions of the Township. The Annexation Area is not currently served by the Utility’s water and sewer service.

The Utility provides the service of pumping water from the water source, treating the water to some level, distributing the water into the system of water lines, storing the water for peak demand and fire protection purposes, and maintaining the system, in its entirety. The Utility meets the parameters of providing access to water utility service, to

a property, when a water distribution line is within the distributive area of a main trunk line or lateral line. When water lines are already developed with respect to a specific property, the water utility is made directly available to that property when a water line is located within three hundred (300) lineal feet of the nearest property line of the developed parcel.

Fire hydrants are generally supported by the user charge system of the Utility. The developer of any new development is generally responsible for installing the fire hydrants necessary to protect the proposed development from catastrophic fire, unless otherwise provided by the Utility or the Utility's policies.

The installation and extension of sewer service for any proposed development in the Annexation Area will be provided in accordance with the Utility's policies. The Utility provides access to wastewater collection, treatment and disposal service to all properties within the corporate limits of the City. The Utility meets the parameters of providing access to wastewater service when the parcel is within the drainage watershed of a major interceptor, trunk or lateral sewer which ultimately delivers wastewater to the wastewater treatment plant. In cases where sewer laterals are made available to developed parcels, the standard for service is met when the Utility's sewer is located within three hundred (300) lineal feet of the nearest property line of the parcel.

Property tax revenues are not a part of the Utility's budget. In addition to monthly service charges, the Utility has established a system of fees for other services such as various connection fees, and/or supplemental fees for special facilities installed to meet the needs and demands of various customers. The cost of extending water and wastewater lines within the Utility's service area is done in accordance with the Utility's policies. The Utility is also subject to regulatory requirements which are administered at the State and Federal level. As such, the system of fees and charges must be adjusted from time to time to remain current with regulatory and other requirements.

D. Parks and Recreation Department

Services by the Parks and Recreation Department of the City are funded out of the City's Parks and Recreation Department budget. The existing inventory of facilities include: Armstrong Park, Old Friends Cemetery Park, Osborne Park, Raymond Worth Park, Quaker Park, Simon Moon Park, Asa Bales Park, Liberty Park, Hadley Park and Freedom Trail Park. The existing inventory of trails include: Monon, Midland Trace, Natalie Wheeler, Anna Kendall, and Cool Creek. These parks and recreation operations are supported by the City's General Fund. The Annexation Area is not anticipated to have an appreciable effect on existing park facilities and no additional costs for this function are anticipated.

Provision of planned service of a non-capital nature within one year: The Annexation Area will have full access to existing park facilities and will continue to be supported by the City.

Provision of planned service of a capital nature within three years: The capital services required for future growth in parks will be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

E. Clerk-Treasurer's Office

The Clerk-Treasurer of the City is responsible for the maintenance of all City records.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned service of a capital nature within three years: The capital services required for this department can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

F. Economic and Community Development Department

c. Planning and Zoning Services

The Economic and Community Development Department of the City is responsible for all of the planning and zoning support for the Westfield-Washington Township Advisory Plan Commission and the Westfield-Washington Township Board of Zoning Appeals. These responsibilities currently involve the entire Township; therefore, no service level increases are expected for this division with respect to the Annexation Area.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel who already serve the entire Township.

Provision of planned service of a capital nature within three years: The capital services required for this division can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

d. Economic Development Services

The Economic and Community Development Department of the City is responsible for all of the economic development functions within the corporate limits of the City. No service level increases are expected with respect to the Annexation Area.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel.

Provision of planned service of a capital nature within three years: The capital services required for this division can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

e. Building and Construction Services

The Economic and Community Development Department of the City currently processes building permits throughout the entire Township. It conducts inspections on new buildings and unsafe structures. Since this service is already being provided throughout the entire Township, no service level increases are expected with respect to the Annexation Area.

Provision of planned service of a non-capital nature within one year: The services can be provided for the Annexation Area with existing personnel, who already serve the entire Township.

Provision of planned service of a capital nature within three years: The capital services required for this division can be accomplished through the annual budgeting process. Cost estimates for planned services are set forth in **Exhibit 3**, Table 3.

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Financial Summary

The Annexation Area has been researched and analyzed in accordance with the terms of the Indiana Code, Title 36, Article 4, Chapter 3.

The primary source of revenue for the City is that which is received from property taxes and County Option Income Tax (COIT). The existing net assessed valuation of all real property and its improvements within the Annexation Area is \$581,300. Improvements in the Annexation Area that are projected to be completed during the five (5) year period following annexation include approximately two hundred (200) single-family residential homes and one hundred and five (105) acres to include open space and part of a golf course and related improvements.

As a result of additional population and road miles, the City also receives revenue from other sources that include Alcohol Gallonage Taxes, Cigarette Tax, Vehicle Excise Tax, MVH road miles tax, and LR& S road mile tax.

Assuming the annexation is effective prior to March 1, 2015; the property within the Annexation Area will then be entered into public record and assessed for taxation as an incorporated area. Revenue received by the City from property assessed on or before March 1, 2015, will not be realized until May and November of 2016. The delay in the collection of property taxes will cause the City to experience a cost of services from existing budgets due to the required provision of non-capital services in the first year following annexation. To the extent that real costs exceed revenue as a result of this annexation, the City is prepared to use funds from other budgeted line items in order to assure that services required by State Statute are provided to the Annexation Area.

Currently, the Annexation Area is undeveloped and the City will receive nominal property taxes from the existing assessed value within the Annexation Area. It should be understood, however, that the annexation of undeveloped land has a very minimal impact on municipal revenue streams and generally a minor impact on the provision of municipal services, if proper fiscal planning is performed.

When development occurs, the impact of that development on various revenue streams, as well as the impact of that development on the demand for municipal services, is to be examined by the City as a part of the development approval process. It is the City's stated goal that it seeks to establish fiscal policies which would result in no negative impact on property taxes for existing City residents as a result of growth. Therefore, the City will seek to assure that all proposed development offers a balance between the cost of services demanded and the revenues produced.

It is the intent of the City to pay for extension of all municipal services to the area from revenues generated as a result of the annexation, which will be derived from property taxes, along with other state distributions. The total property tax rate in Washington Township outside of the corporate limits for pay 2014 is \$2.64780. The tax rate for all taxpayers in the City/Washington Township, including all overlapping taxing units, is equal to \$3.09600, an increase of \$0.4482 or fifteen percent (15%). A summary of the estimated fiscal impact is set forth in **Exhibit 3**, Table 5.

Exhibit 1

Annexation Area: Graphic Depiction

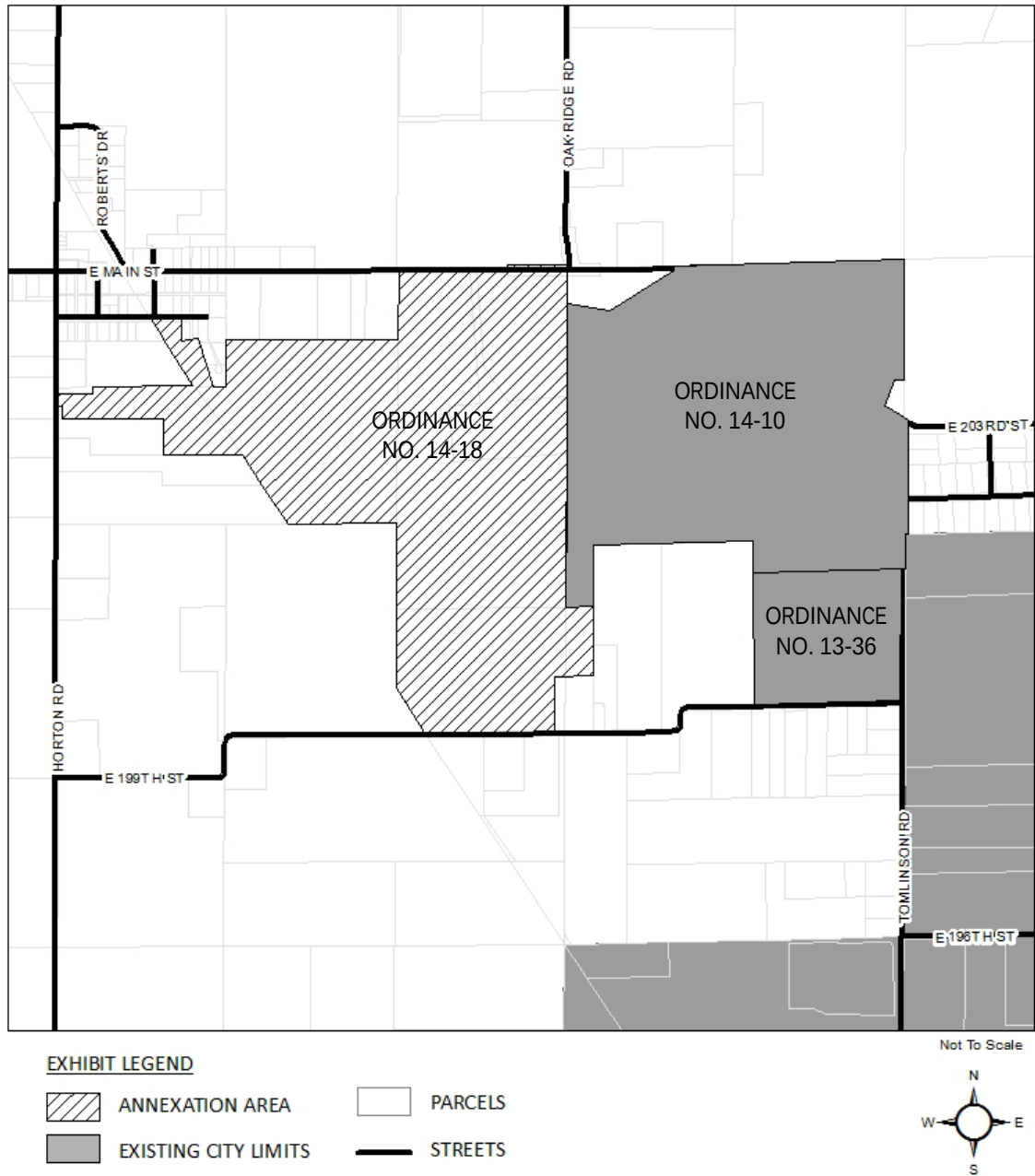


Exhibit 2

Annexation Area: Legal Description

This description includes seven (7) parcels of land:

Parcel No. 08-05-23-00-00-012.001
Parcel No. 08-05-23-00-00-012.000
Parcel No. 08-05-24-00-00-039.000
Parcel No. 08-05-23-00-00-013.000
Parcel No. 08-05-23-00-00-007.001
Parcel No. 08-05-23-00-00-011.000
Parcel No. 08-05-23-01-03-014.000

Parcel No. 08-05-23-00-00-012.001
Parcel No. 08-05-23-00-00-012.000
Parcel No. 08-05-23-00-00-013.000
Parcel No. 08-05-24-00-00-039.000

Part of the Northeast and Southeast Quarters of Section 23 and part of the Northwest and Southwest Quarters of Section 24, all in Township 19 North, Range 3 East, Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter (basis of bearings is the Indiana State Plane Coordinate System, East Zone) 47.15 feet to the southeast corner of the 0.336-acre parcel described in Instrument Number 200100054118, on filed in the Office of the Recorder of Hamilton County, Indiana, being the POINT OF BEGINNING; thence continuing South 00 degrees 15 minutes 45 seconds West along the east line of said Northeast Quarter 636.35 feet to the northwest corner Parcel No. 08-05-24-00-00-040.000 ("Parcel 40") as described in Instrument Number 9508535, on file in the Office of said Recorder, the following three (3) courses are along the north, east and south lines of said Parcel 40; 1)thence North 88 degrees 24 minutes 37 seconds East 222.50 feet; 2)thence South 00 degrees 15 minutes 45 seconds West 1,956.43 feet; 4)thence South 88 degrees 24 minutes 37 seconds West 1.52 feet to the east line of Parcel No. 08-05-24-00-00-039.000 ("Parcel 39"), as described in said Instrument Number 9508535; thence South 00 degrees 15 minutes 45 seconds West along the east line of said Parcel 39 a distance of 540.33 feet to the north line of the 3.01-acre parcel described in Instrument Number 2007034241, on file in the Office of said Recorder, the following two (2) courses are along the north and west lines of said 3.01-acre parcel; 1)thence South 88 degrees 45 minutes 51 seconds West 294.37 feet; 2)thence South 00 degrees 10 minutes 40 seconds West 445.58 feet to the south line of Parcel No. 08-05-23-00-00-013.000 as described in said Instrument Number 9508535; thence South 89 degrees 51 minutes 00 seconds West along said south line 971.17 feet to the northeast right-of-way line of a railroad; thence North 33 degrees 22 minutes 47 seconds West along said railroad right-of-way line 508.24 feet to the west line of the East Half of said Southeast Quarter; thence North 00 degrees 16 minutes 52 seconds East along

the west line of said East Half 560.81 feet to the southwest corner of the East Half of said Northeast Quarter; thence North 00 degrees 11 minutes 30 seconds East along the west line of the East Half of said Northeast Quarter 2,639.20 feet to the northwest corner of the East Half of said Northeast Quarter; thence North 89 degrees 49 minutes 09 seconds East along the north line of said Northeast Quarter 852.77 feet to the northwest corner of said 0.336-acre parcel, the following two (2) courses are along the west and south lines of said 0.336-acre parcel; 1)thence South 00 degrees 11 minutes 42 seconds East 47.27 feet; 2)thence North 89 degrees 48 minutes 18 seconds East 475.41 feet to the POINT OF BEGINNING. Containing 120.49 acres, more or less.

EXCEPT:

Parcel No. 08-05-24-00-00-040.000

Beginning at the SE Corner of the NE ¼ of Section 23, Township 19N, Range 3E

N 89-11-17 E Distance: 216.612’

N 00-04-29 E Distance: 1,955.162’

S 87-09-56 W Distance: 207.684’

S 00-20-40 W Distance: 1,947.995’

Back to the point of beginning, containing 10 acres more or less.

ALSO INCLUDING:

Parcel No. 08-05-23-00-00-011.000

Parcel No. 08-05-23-01-03-014.000

A part of the North Half of Section 23, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of Section 23, Township 19 North, Range 3 East; thence South 00 degrees 11 minutes 40 seconds west (assumed bearing) 532.00 feet along the east line of the west half said Northeast Quarter to the Northeast Corner of a 10 acre tract of real estate described in miscellaneous record 138, page 456 and the point of beginning of this description; thence south 00 degrees 11 minutes 40 seconds west 1438.00 feet along the east line of the West Half of said Northeast Quarter to the Southeast Corner of a 29 acre tract of real estate described in miscellaneous record 138, page 456; thence South 89 degrees 49 minutes 15 seconds West 853.78 feet along the south line of said 29 acre tract and said south line extended westerly to the centerline of the abandoned Monon railroad; thence North 33 degrees 25 minutes 35 seconds West 1897.30 feet along said centerline to the westerly extension of the north line of a 1.79 acre tract of real estate described in instrument 9809817997; thence North 89 degrees 47 minutes 54 seconds East 229.73 feet along said westerly extension and along the north lines of said 1.79 acre tract (the following 3 courses are along the easterly lines of said 1.79 acre tract); 1) thence South 00 degrees 07 minutes 27 seconds West 152.00 feet; 2) thence North 89 degrees 47 minutes 54 seconds East 123.75 feet; 3) thence South 18 degrees 24 minutes 07 seconds

East 386.27 feet to the north line of said 29 acre tract; thence North 89 degrees 49 minutes 15 seconds East 107.46 feet along the north line of said 29 acre tract to the Southwest Corner of said 10 acre tract; thence North 0 degrees 11 minutes 40 seconds East 370.00 feet to the Northwest Corner of said 10 acre tract; thence North 89 degrees 49 minutes 15 seconds East 1320.00 feet to the point of beginning. Containing 43.066 acres, more or less.

ALSO INCLUDING:

Parcel No. 08-05-23-00-00-007.001

A part of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, more particularly described as follows:

Beginning at a point on the West line of the East Half of the Northwest Quarter of Section 23, Township 19 North, Range 3 East, said point being South 00 degrees 05 minutes 36 seconds West (assumed bearing) 955.10 feet from a point marking the Northwest corner of the East Half of the said Quarter Section; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 279.8 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 50.00 feet; thence North 89 degrees 44 minutes 20 seconds East on a line parallel with the North line of the said Quarter Section a distance of 776.91 feet to a point on the Western right-of-way line of the Monon Railroad; thence South 33 degrees 29 minutes 09 seconds East along the Westerly right-of-way line of said Railroad a distance of 655.37 feet; thence North 89 degrees 46 minutes 55 seconds West (North 89 degrees 57 minutes 30 seconds West deed bearing) a distance of 572.72 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 293.41 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 796.49 feet; thence North 00 degrees 05 minutes 36 seconds East on a line parallel with the West line of the East Half of the said Quarter Section a distance of 92.00 feet; thence North 89 degrees 46 minutes 55 seconds West a distance of 50.00 feet to a point on the West line of the East Half of the said Quarter Section; thence North 00 degrees 05 minutes 36 seconds East along the West line of the East Half of the said Quarter Section a distance of 100.96 feet to the point of beginning, containing 9.257 acres, more or less.

Together with the Westerly Half of the right of way of the former Monon Railway East of and adjacent thereto as set out in Instruments recorded December 24, 2003 as Instrument Number 200300126946 and February 10, 2005 as Instrument Number 200500008158 in the Office of the Recorder of Hamilton County, Indiana.

ALSO INCLUDING:

In addition to the aforementioned, the annexed area shall include those public highways and rights-of-way of public highways required to be annexed by Indiana Code § 36-4-3-2.5, including the relevant portions of East 206th Street, Worman Street, Horton Road and East 199th Street.

Exhibit 3

Fiscal Plan Tables

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TABLE 1

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 3"

Computation of Estimated Property Taxes

<u>Year</u>	<u>Estimated Assessed Value</u>	<u>Exemptions</u>	<u>Estimated Net Assessed Value</u>	<u>Tax Rate</u>	<u>Estimated Tax Revenue</u>
1st	\$ 581,300 (1)	\$ - (2)	\$ 581,300	\$ 0.8075 (3)	\$ 4,694
2nd	33,081,300	12,060,000	21,021,300	0.8075	169,747
3rd	70,147,933	24,120,000	46,027,933	0.8075	371,676
4th	100,147,933	36,180,000	63,967,933	0.8075	516,541
5th	130,147,933	48,240,000	81,907,933	0.8075	661,407

(1) Assumes 3 holes of a golf course similar to the Bridgewater Club in Westfield is completed by March 1, 2016. In addition, we have assumed that 50 homes are built in each of the 2nd, 3rd, 4th and 5th years.

(2) Assumes homestead, supplemental homestead and mortgage deductions on all homes

(3) Assumes the final tax rate for 2014

TABLE 2

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 3"

Estimated Revenue Generated

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>
Net Assessed Value	\$ 581,300	\$ 21,021,300	\$ 46,027,933	\$ 63,967,933	\$ 81,907,933
Property Tax Revenue	4,694	169,747	371,676	516,541	661,407
Circuit Breaker Reduction (1)	(1,912)	(69,133)	(151,373)	(210,373)	(269,373)
Motor Vehicle Highway	-	-	-	-	-
Local Roads & Street	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	<u>\$ 2,782</u>	<u>\$ 100,614</u>	<u>\$ 220,303</u>	<u>\$ 306,168</u>	<u>\$ 392,034</u>

(1) Estimated Circuit Breaker Reduction based upon Pay 2014 tax rate and estimated build out

General Notes

- Five years is considered a standard planning period for annexation analysis.
- Population based revenue will not go up unless a Census occurs or a Special Census is prepared.

TABLE 3

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 3"

Estimated Non-Capital Costs

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>
Police (1)	\$ 2,592	\$ 23,325	\$ 46,651	\$ 82,934	\$ 116,108
Fire (1)	4,666	69,997	89,997	134,995	188,993
Lighting (2)	-	-	-	-	-
Fire Hydrants (2)	-	-	-	-	-
Streets & Road Maint. (1)	4,750	7,125	10,688	16,031	22,444
Park (2)	-	-	-	-	-
<u>Admin. & General Dpts. (1)</u>					
Administrative	291	2,181	4,362	8,724	17,448
Community Dev. Planning	59	446	892	1,784	3,568
Building Dept.	17	126	252	504	1,008
Information Tech.	108	807	1,614	3,228	6,456
Clerk	42	315	630	1,260	2,520
Mayor	11	80	160	320	640
City Council	11	86	172	344	688
Street Dept	147	1,106	2,212	4,424	8,848
Total Non-Capital Costs	<u>\$ 12,694</u>	<u>\$ 105,595</u>	<u>\$ 157,629</u>	<u>\$ 254,549</u>	<u>\$ 368,721</u>

(1) Assumes allocation of the specific budget; in the event you need further information, please contact the City. The increase in Street cost is due to the increase in homes.

(2) No additional cost is estimated to be incurred.

General Note

- Five years is considered a standard planning period for annexation analysis.

TABLE 4

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 3"

Estimated Capital Costs

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>
Street Department (1)	\$ -	\$ -	\$ -	\$ -	\$ -
Street Lighting (1)	-	-	-	-	-
Wastewater (1)	-	-	-	-	-
Water (1)	-	-	-	-	-
Electric (1)	-	-	-	-	-
Cumulative Capital (1)	-	-	-	-	-
Cumulative Fire (1)	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Capital Costs	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

(1) No capital costs are expected to occur, in this time period, in the Area.

General Note

- Five years is considered a standard planning period for annexation analysis.

TABLE 5

CITY OF WESTFIELD, INDIANA "CHATHAM HILLS PHASE 3"

Fiscal Plan Summary

	<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>	<u>4th Year</u>	<u>5th Year</u>	<u>Total</u>
Revenue	\$ 2,782	\$ 100,614	\$ 220,303	\$ 306,168	\$ 392,034	\$ 1,021,901
Non-Capital Costs	12,694	105,595	157,629	254,549	368,721	899,188
Capital Costs	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net	<u>\$ (9,912)</u>	<u>\$ (4,981)</u>	<u>\$ 62,674</u>	<u>\$ 51,619</u>	<u>\$ 23,313</u>	<u>\$ 122,713</u>
Percentage	<u>-356.3%</u>	<u>-5.0%</u>	<u>28.4%</u>	<u>16.9%</u>	<u>5.9%</u>	<u>12.0%</u>

General Notes

- Five years is considered a standard planning period for annexation analysis.
- To be funded by the General Fund balance

RESOLUTION 14-115

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA, REGARDING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA

WHEREAS, pursuant to I.C. 6-1.1-12.1-1, *et. seq.* (the "Act"), the City of Westfield, Indiana (the "City") by and through its Common Council acting in its capacity as the fiscal body of the City and acting as the designating body identified in the Act (the "Council") has the right and opportunity to abate the payment of real property taxes for real estate located within an area declared by the Council to be an Economic Revitalization Area and to also abate the payment of personal property taxes within the Economic Revitalization Area; and

WHEREAS, pursuant to the Act, the Council may find that a particular area within the jurisdiction of the City is an Economic Revitalization Area and may by adoption of a resolution declare such area to be an Economic Revitalization Area which resolution must be confirmed, modified, or rescinded; and

WHEREAS, the Council desires to declare the area commonly known as 17406 Tiller Court and 17408 Tiller Court, Westfield, Indiana more particularly described in Exhibit A (the "Area") attached hereto and made a part hereof which Area is also shown on the map attached hereto as Exhibit B and made a part hereof as an Economic Revitalization Area in which property owners and lessees making application to the City pursuant to the Act subsequently approved by this Council pursuant to the Act may receive real property tax abatement and/or personal property tax abatement pursuant to the applicable procedures of the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA AS FOLLOWS:

SECTION I. The Area is located within the City.

SECTION II. The Area is hereby declared to be an "Economic Revitalization Area" as defined in the Act.

SECTION III. A public hearing shall be held at the time and place of the regular meeting of the Council on July 14, 2014 at 7:00 p.m. at the Westfield City Hall, 130 Penn Street, Westfield, Indiana. The Council shall publish or cause to be published, pursuant to the Act, notice (the "Notice") of the adoption and substance of this Resolution in accordance with I.C. 5-3-1 one (1) time at least ten (10) days before the date of the public hearing on this matter (the "Public Hearing"), which Notice shall state the date and time for the Public Hearing, that the Council will hear all remonstrance's and objections from interested persons at

the Public Hearing, that at the conclusion of the Public Hearing the Council may take final action on the proposed designation determining whether the qualifications for an economic revitalization area have been met and confirming, modifying, or rescinding this Resolution, and that a copy of this Resolution, including the description of the Area, has been filed with and shall be available for inspection in the office of the Hamilton County Assessor.

SECTION IV. Pursuant to Section 2.5(b) of the Act, a copy of this Resolution shall be filed with the Hamilton County Assessor.

SECTION V. Pursuant to Section 2.5(c) of the Act, the Council shall file a copy of the Notice with each taxing unit that has authority to levy property taxes in the geographic area where the Area is located. Such information shall be filed with the officers of the taxing unit who are authorized to fix budgets, tax rates, and tax levies under I.C. 6 1.1-17-5 at least ten (10) days prior to the date of the Public Hearing.

SECTION VI. This Resolution shall be in full force and effect immediately upon its adoption.

THE REMAINDER OF THIS PAGE IS BLANK INTENTIONALLY

ALL OF WHICH IS RESOLVED THIS ____ DAY OF _____, 2014.

WESTFIELD CITY COUNCIL

<u>Voting For</u>	<u>Voting Against</u>	<u>Abstain</u>
_____ Jim Ake	_____ Jim Ake	_____ Jim Ake
_____ Steven Hoover	_____ Steven Hoover	_____ Steven Hoover
_____ Robert L. Horkay	_____ Robert L. Horkay	_____ Robert L. Horkay
_____ Charles Lehman	_____ Charles Lehman	_____ Charles Lehman
_____ Robert J. Smith	_____ Robert J. Smith	_____ Robert J. Smith
_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric	_____ Cindy L. Spoljaric
_____ Robert W. Stokes	_____ Robert W. Stokes	_____ Robert W. Stokes

ATTEST:

Cindy Gossard, Clerk-Treasurer
City of Westfield, Indiana

I hereby certify that RESOLUTION 14-115 was delivered to the Mayor of Westfield on the _____ day of _____, 2014, at _____ m.

Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE Resolution 14-115

This _____ day of _____, 2014

J. Andrew Cook, Mayor

I hereby VETO Resolution 14-115

This _____ day of _____, 2014

J. Andrew Cook, Mayor

Prepared By:
Andrew Murray, Associate Planner
City of Westfield, Indiana

EXHIBIT A

Legal Description of Area

Commonly Known as 17406 Tiller Court and 17408 Tiller
Court, Westfield, Indiana 46074

Beginning at the SW Corner of the SE quarter of Section 35, Township 19, Range 3E
Grid - Direction: S 4-29-28 E Distance: 1114.231

To a point of beginning

S 0-13-37 E Distance: 676.645

N 89-19-10 E Distance: 585.911

N 0-11-2 W Distance: 526.943

N 63-28-33 W Distance: 12.741

N 47-26-27 W Distance: 14.282

N 31-27-5 W Distance: 14.278

N 15-23-20 W Distance: 14.282

N 0-38-34 E Distance: 14.271

N 16-38-42 E Distance: 14.278

N 32-40-38 E Distance: 14.28

N 46-18-45 E Distance: 21.919

N 14-58-2 E Distance: 6.273

N 2-44-37 E Distance: 40.316

S 90-0-0 W Distance: 585.06

Back to the point of beginning containing 9 acres more or less.

EXHIBIT B



Aerial Location Map



 17406-17408 Tiller Court

 Parcels

1 inch = 500 feet

Policy: PK 01-11
Policy Title: Westfield Parks & Recreation Special Event Policy
Policy Purpose: Establish Non-Park Special Event Protocol
Implementation Date: March 1, 2011
Revision Date: ~~January~~ July 1, 2014

**CITY OF WESTFIELD
PARKS AND RECREATION DEPARTMENT
NON-CITY SPONSORED SPECIAL EVENT POLICY**

A. Purpose and Intent

1. The Westfield Parks and Recreation Department assists in bringing group events to Westfield that contribute to the community's quality of life. In the continuing efforts by the City to provide the public with quality recreational choices in well maintained, clean, and safe parks, Westfield has developed the following standard operating procedures to review requests for Special Events to be held in the City Parks.
2. Park facilities may be made available for non park related uses consistent with the policies herein and subject to availability.

B. Definition

1. Special Event.

"Special Event" means a group activity including, but not limited to, a performance, meeting, assembly, contest, exhibit, ceremony, parade, athletic competition, reading, or picnic involving more people than an individual shelter rental could accommodate or a group activity in which a specific park space is requested to be reserved. Special Events are not defined as casual park use by visitors or tourists, or individual shelter rental.

C. Uses

1. Priority shall be given to groups and individuals whose request reflects significant community interest and general value. The Westfield Parks Director or his/her designee will review and balance each request. The Westfield Parks Director or designee reserves the right to refuse rental/use.
2. Applicants wishing to use the park facilities shall meet requirements as outlined in the Eligible User Groups as developed by the Westfield Parks and Recreation Department.

C. Consideration

1. Scheduling priority will be given according to the order indicated below with Group 1 having the first priority and Group 4 having the last. Scheduling will be on a first come, first served basis within a group. A Group 1 organization may bump a lower priority group with a one month or greater notification.
2. In order to recover some of the costs associated with special events, Special Event Public Safety and Maintenance Fees may be charged.
3. The Westfield Parks Director reserves the right to waive rental fees.
4. Facilities shall be available for only non profit uses. Any exceptions shall be at the sole discretion of the Westfield Parks Director or designee and shall be evaluated by the benefit to the public.
5. In an emergency, the Parks Department shall cooperate with recognized state or federal agencies in the use of all park facilities without charge, superceding all other scheduled events and uses.
6. Special Events such as weddings or funerals shall be scheduled under exceptional conditions and as schedules allow.
7. City employees wishing to host a special event other than a shelter rental for individual use will adhere to this same policy.

F. Eligible User Groups

Group 1: Direct City Related Activities E.g. City Department meetings, classes, special events, or activities	No Rental Fee No Maintenance Fee No Public Safety Fee
Group 2: Joint Sponsored Events E.g. DWA, Washington Township Parks Department, Hamilton County Parks Department, Schools and Education Foundation, Library	No Rental Fee No Maintenance Fee No Public Safety Fee
Group 3: Civic and Service Organizations, Non-Profits E.g. Scouts, 4-H Clubs, Youth Athletics, Youth Organizations, Rotary, Lions, Kiwanis, Churches, Chamber of Commerce, other Community Groups	Rental Fee Maintenance Fee Public Safety Fee (if necessary)
Group 4: Private Businesses, Organizations, and Citizens Acceptable events will be determined by Parks & Recreation Director	Rental Fee Maintenance Fee Public Safety Fee (if necessary)

G. Application Procedure

1. All requests should be made in writing using the **Permit for Special Event Use** form (Exhibit B) and submitted to the Westfield Parks and Recreation Administration Office at a minimum of 30 days prior to the requested event date. Applications are available online at the Westfield Parks and Recreation website below; at City Service Center – Customer Service and at the Westfield Parks and Recreation Administration Office.

<http://www.westfield.in.gov/parks>

Please note: if a large scale event (an event with estimated 500+ people in attendance) is being proposed, you may need as much as one year's preparation.

2. The application must state the specific time and date of the event as well as all facility needs to be furnished by the City.
3. The Westfield Parks Director will determine the merits of the application and availability of the location. A copy of the signed application will be given to the Westfield Fire Department, Westfield Police Department, and the Westfield Public Works Department for their comments regarding public safety and to determine if any public safety and maintenance fees will be charged.
4. Upon approval of the special event, all rental, maintenance and public safety fees will be invoiced with the due date indicated on the invoice.
5. All sales are final and nonrefundable. A refundable damage deposit of \$200 is required for all special events. If alcohol is served, the deposit increases to \$600. The damage deposit should be paid with a separate check from any rental and public safety fees. Renters agree to be responsible for any additional charges incurred or damages caused by renter's activities.
6. Upon receipt of certificate of insurance (please see Section H), and payment of damage deposit and fees, a copy of the approved application will be returned to serve as the permit.
7. Permits granted may be subject to cancellation at any time by the Westfield Parks Director or his/her designee.

H. Insurance and Liability

1. Any group using the Westfield City Parks for any purpose must provide a certificate of insurance showing proof of liability insurance in the amount of \$100,000 property damage per occurrence and \$1,000,000 bodily injury per occurrence naming the City of Westfield as an additional insured.

2. The requesting party shall protect and hold harmless the City of Westfield and its **elected officials, employees, staff and representatives, and each of them**, from any and all claims, suits, liabilities, damages or causes of action of any kind, provided such person was acting in the discharge of his/her duties.

I. Rules and Regulations

1. Applicants shall comply with all Rules of Park Operations set forth in – Ordinance 10-28 PK 02-11. A copy is posted on the Parks Department webpage and is available upon request.
2. Holders of permits shall confine their use strictly to the specific area approved and will not be permitted to use any other space, equipment or apparatus unless it is approved in the application.
3. The applicant and his/her organization shall be held strictly accountable for complying with the rules and regulations that govern use of the City Parks, and shall be responsible for damages, losses, or accidents, which might occur while the organization is using the site. If proper care is not exercised, the continued use of the City Parks may be denied.
4. The sponsoring organization must provide adequate supervision and must ensure visitors use only the areas approved for rental/use. The organization will also provide all necessary supporting personnel such as medical personnel, parking attendants, set up and cleanup crews. A Public Safety fee may be charged if these services are deemed necessary to be provided by the City.
5. It is the sole responsibility of the user to secure additional trash receptacles or have trash hauled away if park containers will not accommodate the needs of the event. Trash that is not disposed of properly or overfills a receptacle may result in a loss of deposit. The Westfield Parks and Recreation Administration will determine if the size of the event requires a rental of an outside dumpster. Dumpsters are only to be placed in designated areas approved by the Westfield Parks and Recreation Administration.
6. The sponsoring organization is required to provide portable restrooms if the special event will have attendance of over 500 persons. The requirement is one portable restroom per 500 attendees. At least one in every three rented must be handicap accessible. Delivery must be at the latest date and time possible prior to the event and removed from Park property no later than 24 hours after the event. Westfield Parks and Recreation Department is not responsible for any damage to portable restrooms. Portable restrooms are to be placed only in designated areas approved by Westfield Parks and Recreation Administration. Vendors are responsible for any water supply hoses.

7. Vehicles are not allowed on Park property that is not designated for parking. Deliveries or setup needs that require a vehicle to enter the park must be approved in advance by the Westfield Parks and Recreation Administration.
8. The sponsoring organization is responsible for providing information if tents are being proposed as part of the event set-up and for calling in utility locates to prevent interference with irrigation, fiber and utility infrastructures.
9. Users are encouraged to exercise Universal Precautions (Universal Precautions refers to the practice, in medicine, of avoiding contact with bodily fluids, by means of wearing medical gloves, goggles and face shields) and to have the necessary emergency first aid kits issued to their members.
10. A report of any personal injury must be submitted to the Westfield Parks and Recreation Administration Office by the person securing the permit within 24 hours after an injury.
11. Property damage must be reported immediately to the City representative on duty, and an itemized list of any property damage must be provided to the Westfield Parks and Recreation Administrative Office by the person securing the permit within 24 hours after any such damage.
12. No signs, displays, or materials may be attached, nailed or otherwise affixed to shelters, trees, buildings or existing signs.
13. For temporary signage at locations outside of the park, or road closures or blockages, the sponsoring organization must obtain an Encroachment Permit through the City of Westfield Community Development Department, which may carry an additional fee. The Encroachment Permit Application is available online at www.westfield.in.gov or at the City Service Center. Please allow ten (10) working days from receipt for approval.
14. No Park fixtures may be moved without consent of the Westfield Parks Director.
15. The use of special equipment, including but not limited to, cooking equipment, musical instruments, and public address systems and sports equipment will be reviewed per application.
16. Alcohol use is restricted and will be reviewed per application. All necessary licensing and insurance is required. If approved, the damage deposit increases from \$200 to \$600.
17. Use of the Park facilities will be terminated if the City determines the use is being diminished or compromised by the rental organization.
18. No group may monopolize more space and time than is needed to meet the needs of the approved event.

19. Failure to comply with these rules and regulation will be sufficient reason to cancel future privileges.
20. No Park Facility may be used for a special event without the presence of a City representative.

J. Fees and Charges

1. See Exhibit A.
Titled: CITY OF WESTFIELD PARKS AND RECREATION DEPARTMENT
SPECIAL EVENT FEES AND CHARGES

EXHIBIT A
CITY OF WESTFIELD
PARKS AND RECREATION DEPARTMENT
SPECIAL EVENT FEES AND CHARGES
(PK 01-11)

Asa Bales Park – North (205 W. Hoover Street) **\$150** for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged.

Amenities include: three shelters, fourteen picnic tables, large permanent grill, drinking fountain, restrooms, skate park, playground, large open grass field, lots of trees, creek, paved trails and paved parking lot (twenty spaces). Asa Bales North is located across the street from Westfield High School, next to the Westfield Middle School, the Public Library and just two blocks from Freedom Trail Park.

Asa Bales Park – South (200 Camilla Court) **\$100** for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: playground, natural amphitheater, paved trail, lots of trees, creek, paved parking lot (eighteen spaces), and paved trail access from Union Street.

Freedom Trail Park Fields (500 Deer Walk Trace) **\$200** for up to four (4) hours, **\$20** for each additional hour. This includes use of three football fields. The fields can be rented individually for \$100 for up to four (4) hours, \$20 for each additional hour.

Freedom Trail Park Play Area (500 Deer Walk Trace) **\$150** for up to four (4) hours, **\$20** for each additional hour. Amenities include: all inclusive playground, sensory garden, paved and gravel trails, prairie establishment, and a paved parking lot.

Hadley Park (100 W. Main Street) **\$40** for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Hadley Park is a small intimate space ideal for small weddings or small gatherings. It is located in the center of downtown Westfield. Amenities include: a portico, benches, memorial brick walkway, beautiful gardens, and trees. It is adjacent to Asa Bales Park.

Quaker Park (17501 Dartown Road) **\$150** for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: Shelters 2, 3 & 4, eighteen picnic tables, playground, splash park, basketball goals, Midland Trace Trail, which includes Born Learning Trail, drinking fountain, permanent grill, restrooms, paved parking (44 spaces), large open grass field, trees, and creek. Shelter #1 cannot be included in special event rentals.

Simon Moon Park (2710 E. 171st Street) **\$100** for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Anyone wanting to rent the shelter and use the Council Circle Fire Pit must apply as a special event. Amenities include: Shelter with six picnic tables, additional picnic tables on top of hill, sledding hill,

Council Circle with Fire Pit, Fire Host (park staff), wood and fuel for fire, fire maintenance and extinguishing of fire, trail connection to Midland Trace Trail, 2-5year old playground, 5-12 year old playground, drinking fountain, permanent grill, paved parking (eight spaces) and additional parking at the City Services Center.

Old Friends Cemetery Park (302 S. Union Street) **\$100** for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged.

Amenities include: 1834 Historical Friends (Quaker) Cemetery in a beautiful serene setting in the heart of downtown Westfield, plaza, gazebo, Martha Doan Memorial Garden, stoned walkways, interpretive signage that shares Westfield's story, benches, drinking fountain, bike racks, adjacent to the Midland Trace Trail and Grand Junction Trail across the street.

Monon Trail - \$100 for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 12-foot paved asphalt trails with two-foot stone shoulders, drinking fountain, benches, Greyhound Pass Trail Head (1155 E. Greyhound Pass) with parking, bike racks and restrooms, connection to Carmel/Indy Monon Trail and the Midland Trace Trail.

Midland Trace Trail - \$100 for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: Three sections of the trail now open (Carey Road to Union Street; Oak Ridge Road to Quaker Park and Springmill Road toward Ditch); 12-foot paved asphalt trails with two-foot stone shoulders, drinking fountains, benches, bike racks, connections to Simon Moon Park, Old Friends Cemetery Park, Grand Junction Trail/Natalie Wheeler Trail, Downtown Westfield and Quaker Park; parking available at Simon Moon Park and Quaker Park.

Grand Junction Trail - \$100 for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 10-foot paved asphalt/brick trail with granite shoulder, benches, landscaping and bio-swales, leisure urban feeling; connections to Midland Trace Trail, Natalie Wheeler Trail, Old Friends Cemetery Park, Union Bible College, close proximity to Hadley Park and Asa Bales Park.

Natalie Wheeler Trail - \$100 for up to four (4) hours, **\$20** for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: 12-foot paved asphalt trails, connecting to Grand Junction Trail, Cool Creek Park, future Cool Creek Trail extension and Liberty Park. Parking at Liberty Park and Cool Creek Park.

Programming Facility (330 E. Main Street) - \$100 for up to four (4) hours from 6 a.m. to 3 p.m. Mondays through Fridays, \$20 for each additional hour. \$300 for up to four (4) hours on weekends and after 3 p.m. Mondays through Fridays, \$60 for each additional hour. Based upon the number of attendees, public safety fees may be charged. Amenities include: three rooms, ten 6' tables, 40 folding chairs, 25 children's chairs, two restrooms, on-site parking for 20 vehicles and public parking for 30+ vehicles within a 1-2 minute

walk. The programming facility is located across the street from O.W. Krohn and Associates, and in between Body One and Edward Jones.

NOTE: A refundable damage deposit of \$200 is required for all special events; if alcohol is served, the deposit increases to \$600.

All fees are final and non-refundable. Rental fees include: Clean up prior to event, set up of additional trash receptacles (if needed), and trash removal after the event, any necessary furniture moving and on-site staff during event.

**PERMIT FOR SPECIAL EVENT USE
WESTFIELD PARKS AND RECREATION DEPARTMENT**

ALL REQUESTS ARE TO BE SUBMITTED AT LEAST 30 DAYS PRIOR TO USE

(Exhibit B-Policy PK 01-11)

TODAY'S DATE: _____ ORGANIZATION: _____

EVENT LOCATION: _____ SPECIFIC AREA: _____

DATE(S): _____ HOURS: _____ APPROX. ATTENDANCE: _____

EVENT NAME: _____ EVENT PURPOSE: _____

Specify, in as much detail as possible, what will be required for the event. Include set up (tents, tables, chairs), technology needs, use of public address systems, power, and who is supplying and setting up this equipment. Also, include event signage. Attach a map of the event layout.

A Certificate of Liability Insurance in the amount of \$100,000 property damage per occurrence and \$1,000,000 bodily injury per occurrence naming the City of Westfield as additional insured required. Certificate is due with payment of damage deposit and fees.

A signed Permit For Special Event Use form must be on file with the Park Administration Office to confirm scheduling of your event.

REPRESENTATIVE

ALTERNATE CONTACT NAME & PHONE

SIGNATURE OF REPRESENTATIVE

MAILING ADDRESS

HOME PHONE

WORK PHONE

CITY/STATE

ZIP

EMAIL

DATE

FOR OFFICE USE ONLY:

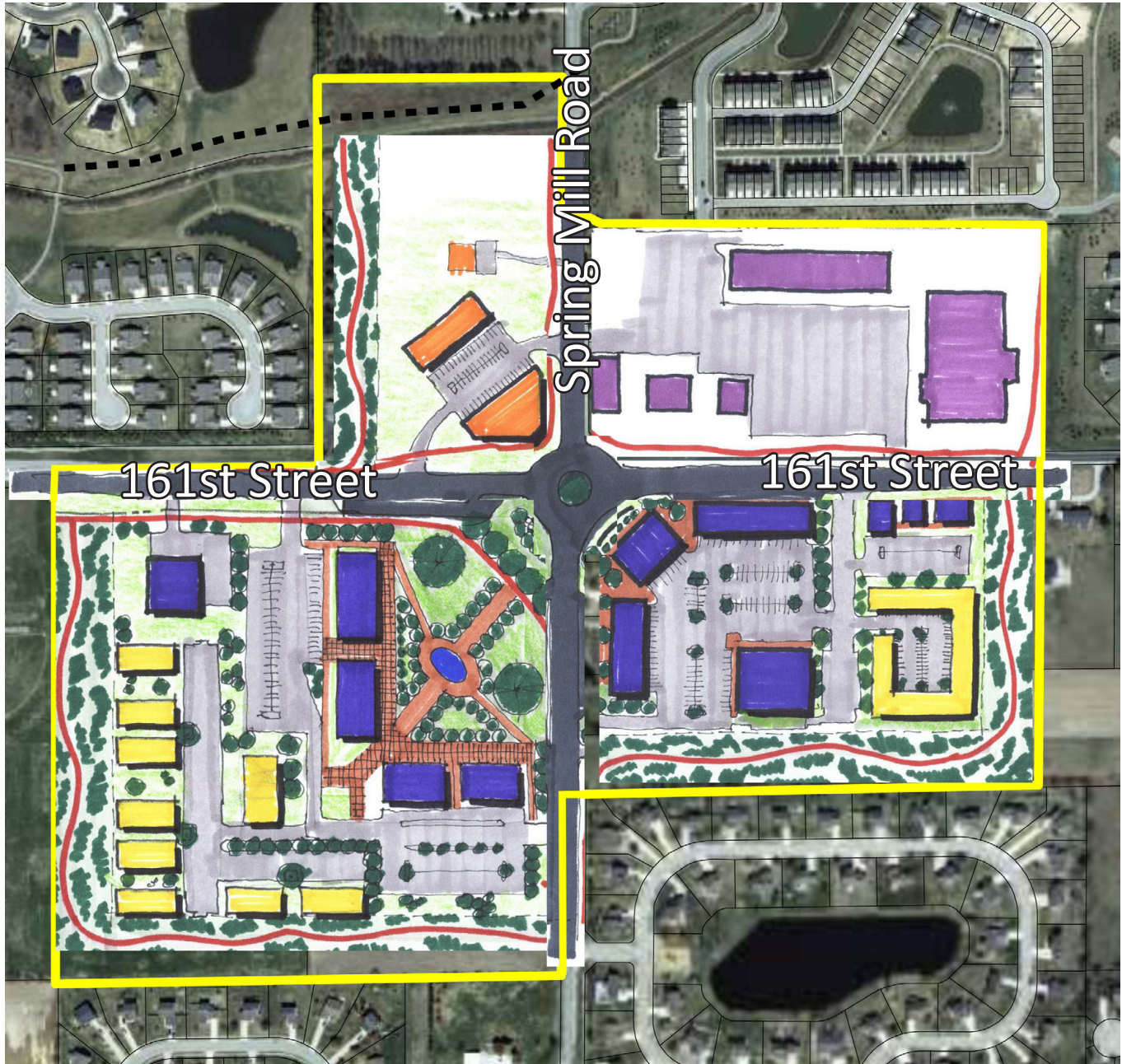
DEPOSIT AMT: _____ DATE RECEIVED: _____ RENTAL FEE: _____ DATE RECEIVED: _____

PUBLIC SAFETY FEE: _____ DATE RECEIVED: _____ MAINTENANCE FEE: _____ DATE RECEIVED: _____

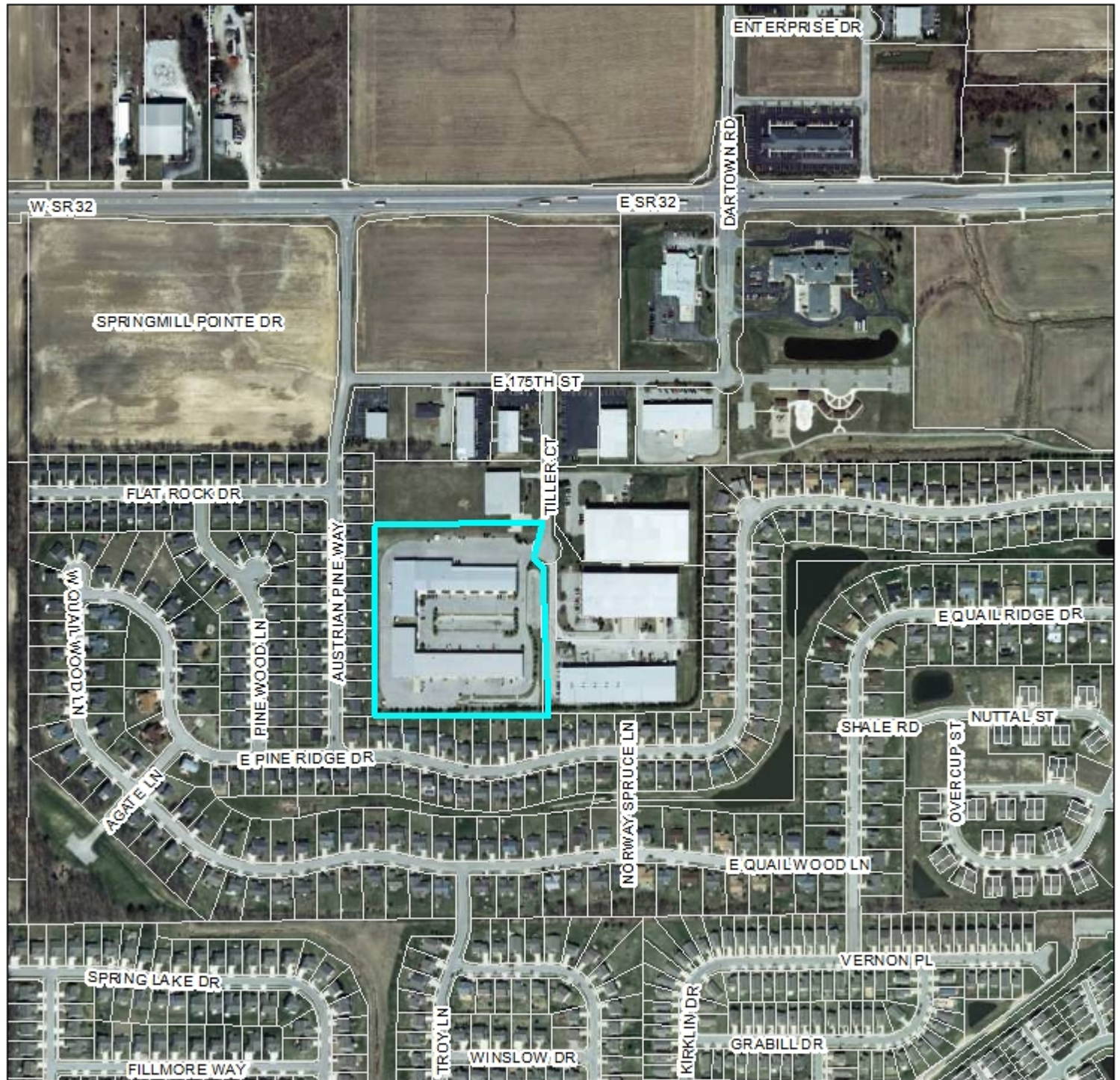
APPROVED/DENIED: _____

CERTIFICATE OF INSURANCE RECEIVED: _____ PERMIT NUMBER: _____

Spring Mill Station EDA:
Economic Development Plan



Aerial Location Map



17406-17408 Tiller Court

Parcels

1 inch = 500 feet

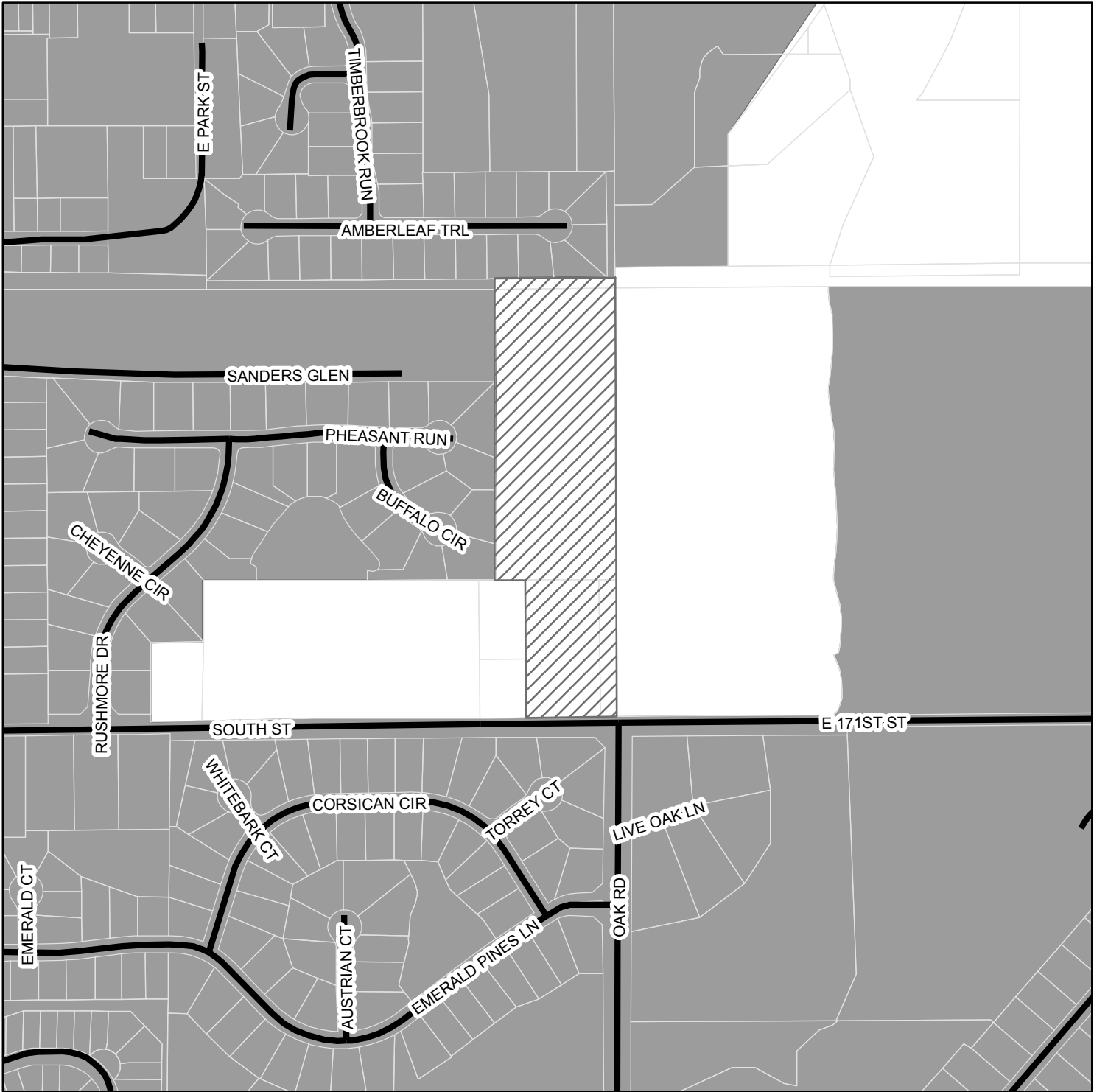


EXHIBIT LEGEND



ANNEXATION AREA



PARCELS

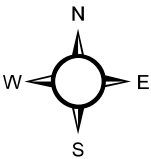


EXISTING CITY LIMITS



STREETS

Not To Scale



SITE PLAN

