

**WHITESTOWN, INDIANA**

**2014 GOLF CLUB OF INDIANA**

PLANNED UNIT DEVELOPMENT DISTRICT

ORDINANCE NO. 2014 - \_\_\_\_\_

October 22, 2014

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**ORDINANCE NO. 2014-\_\_\_\_\_**

The 2014 Amended Golf Club of Indiana Planned Unit Development District (the, "2014 Golf Club of Indiana PUD District").

**Section 1. Applicability.**

Section 5.1 Applicability of the ordinance. All prior ordinances or parts thereof inconsistent with any provision of this 2014 Golf Club of Indiana District ordinance and its exhibits are hereby made inapplicable to the use and development of the Real Estate. All prior commitments and restrictions applicable to the Real Estate shall be null and void and replaced and superseded by this 2014 Golf Club of Indiana District ordinance.

Section 1.2 Applicability of Development Requirements. Development in the 2014 Golf Club of Indiana District shall be governed entirely by (i) the provisions of this 2014 Golf Club of Indiana District ordinance and its exhibits, and (ii) those provisions of the Zoning Ordinance and Subdivision Control Ordinance specifically referenced in this 2014 Golf Club of Indiana District Ordinance.

**Section 2. 2014 Golf Club of Indiana Sub-Districts.** The Real Estate shall be divided into four Sub-Districts as depicted on the District Map attached hereto and incorporated herein by reference as Exhibit C (District Map) illustrating the Single-family Sub-District, Multi-Family Sub-District, Commercial Sub-District and Open Space / Golf Course Sub-District. The Development Requirements for each Sub-District shall be as specified in this 2014 Golf Club of Indiana District ordinance.

**Section 3. Neighborhood Residential Sub-District.** This Sub-District is generally located surrounding the existing Golf Course as depicted on the District Map and permits medium-density single-family and two-family residential uses and Golf Club uses. Development in this Sub-District typically ranges from 2 homes to 3 homes per acre. Development in this Sub-District requires connection to public water and public sewer utilities.

**Section 3.1 Permitted Uses:**

- A. Permitted Uses and Special Exceptions are specified in Exhibit D (Authorized Uses).
- B. There shall be permitted as many as, but not more than, 600 Dwellings within the Neighborhood Residential Sub-District.

Section 3.2 Bulk Requirements:

- A. Maximum Height of Buildings (feet): 35
- B. Minimum Ground Floor Area – one story (sqft): 1,200
- C. Minimum Ground Floor Area – multi-story (sqft): 900
- D. Minimum Lot Width (feet) (measured at Building Line): 50
- E. Minimum Road Frontage (feet): 40
- F. Minimum Lot Area (sqft): 6,000 (3,000 for two-family uses on individually platted lots)
- G. Minimum Front Yard Setback (feet): 25
- H. Minimum Side Yard Setback (feet): 5
- I. Minimum Rear Yard Setback for Primary Structure (feet): 20
- J. Minimum Rear Yard Setback for Accessory Structures (feet): 5
- K. Maximum Density (dwelling units/acre): 3 (applied to the overall Neighborhood Residential Sub-District)
- L. Minimum Open Space: 30% (applied to the aggregate of the Neighborhood Residential and Open Space / Golf Course Sub-Districts)
- M. Maximum Lot Coverage: 60%
- N. Minimum Primary Structure Width (feet): 18
- O. Minimum Distance Between Dwelling Units (feet): 10
- P. Whitestown Municipal Utilities for Water and Sewer Required: Yes

**Section 4. Multi-Family Residential Sub-District.** This Sub-District is generally located between the Neighborhood Residential Sub-District and the Commercial Sub-District as depicted on the District Map and permits high-density residential uses typically at a density of up to 20 Dwellings per

acre. Development in this District requires connection to public water and public sewer utilities.

Section 4.1 Permitted Uses:

- A. Permitted Uses and Special Exceptions are specified in Exhibit D (Authorized Uses).
- B. Development of single-family dwellings and two-family dwellings shall be subject to the Development Requirements of Section 3.2 (Bulk Requirements) of this 2014 Golf Club of Indiana District Ordinance.
- C. There shall be permitted as many as, but not more than, 400 Dwellings within the Multi-Family Residential Sub-District.

Section 4.2 Bulk Requirements:

- A. Maximum Height of Buildings (feet): 50
- B. Minimum Ground Floor Area – one story (sqft): 700
- C. Minimum Ground Floor Area – multi-story (sqft): 400
- D. Minimum Front Yard Setback (feet): 25
- E. Minimum Side Yard Setback (feet): 10
- F. Minimum Rear Yard Setback (feet): 20
- G. Maximum Density (dwelling units/acre): 20 (applied to the overall Multi-Family Residential Sub-District)
- H. Minimum Open Space: 30% (applied to the overall Multi-Family Residential Sub-District)
- I. Whitestown Municipal Utilities for Water and Sewer Required: Yes

**Section 5. Commercial Sub-District.** This Sub-District is generally located along Whitestown Boulevard as depicted on the District Map and permits most types of business and service uses. Development in this Sub-District requires connection to public water and public sewer utilities.

Section 5.1 Permitted Uses:

- A. Permitted Uses and Special Exceptions are specified in Exhibit D (Authorized Uses).

Section 5.2 Bulk Requirements:

- A. Maximum Height of Buildings (feet): 50 or four (4) stories, whichever is less
- B. Minimum Road Frontage (feet): 45
- C. Minimum Front Yard Setback (feet): 25
- D. Minimum Side Yard Setback (feet): 10
- E. Minimum Rear Yard Setback (feet): 10
- F. Minimum Open Space: 15% (applied to the overall Commercial Sub-District)
- G. Whitestown Municipal Utilities for Water and Sewer Required: Yes

**Section 6. Open Space / Golf Course Sub-District.** This Sub-District is generally includes the existing Golf Course as depicted on the District Map and permits open space, golf courses and other residential amenities surrounded by medium-density single-family and two-family residential uses.

Section 6.1 Permitted Uses:

- A. Permitted Uses and Special Exceptions are specified in Exhibit D (Authorized Uses).
- B. The permitted uses of the Sub-District shall also include Open Space, amenities storm water management and other infrastructure associated with a Major Residential Subdivision in the Neighborhood Residential Sub-District including but not limited to ??

Section 6.2 Bulk Requirements:

- A. Maximum Height of Buildings (feet): 35
- B. Minimum Front Yard Setback (feet): 25
- C. Minimum Side Yard Setback (feet): 5

- D. Minimum Rear Yard Setback for Primary Structure (feet): 20
- E. Minimum Rear Yard Setback for Accessory Structures (feet): 5
- F. Minimum Open Space: 30% (applied to the aggregate of the Neighborhood Residential and Open Space / Golf Course Sub-Districts)
- G. Whitestown Municipal Utilities for Water and Sewer Required: **No**

YES - for all future structures and improvements.

**Section 7. Parking and Loading Requirements.** Parking and Loading on the Real Estate shall comply with the following requirements.

**Section 7.1. Purpose.**

- A. Off-street parking spaces shall be used only for the parking of vehicles of occupants, patrons, visitors, or employees and shall not be used for any kind of loading, sales, servicing, or continuous storage of vehicles for more than forty-eight (48) hours.
- B. Automotive vehicles or trailers of any type without plates in an inoperable condition so as to be deemed dead storage shall be prohibited in residential districts other than in completely enclosed buildings and shall not be parked or stored in any district unless specifically authorized under the terms of this ordinance.
- C. Space allotted to loading berths and loading areas shall not be used to satisfy parking space requirements.

**Section 7.2. Non-Conforming parking, Enlargement of Alteration of Existing Structure.**

- A. No use lawfully established prior to the effective date of this section shall be required to provide and maintain the parking and loading requirements of this section, provided that parking and loading spaces required by any previous ordinance pursuant to state statutes shall be continued and maintained.
- B. For any non-conforming use which is hereafter damaged or partially destroyed, and which is lawfully reconstructed, re-established, or repaired, parking and loading facilities equivalent to those maintained at the time of such damage or partial destruction shall be restored and continued in operation, provided, however, it is not necessary to restore or maintain parking or loading facilities in excess of those required by this ordinance for equivalent new uses.

- C. When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, floor area, beds, seating capacity, or other unit of measurement, parking and loading facilities shall be provided for such increase in intensity of use.
- D. When the existing use of a building, structure or premises shall be changed or converted to a new use permitted by this ordinance, parking and loading facilities shall be provided as required for the new use.
- E. Parking and loading facilities in existence on the effective date of this section shall not be reduced below or if already less than, shall not be further reduced below, the requirements for a new use under this section.

#### Section 7.3. Design Flexibility.

- A. Due to particularities of any given development, the inflexible application of required parking spaces may result in parking and loading spaces in excess of need. Upon the written request of the applicant, the Administrator may authorize a reduction of required parking spaces not to exceed ten percent (10%). Approval of reduction of required parking spaces by the Administrator shall be in writing and shall include justification for allowing such reduction.
- B. Upon written request by the Controlling Developer, up to twenty-five percent (25%) of the dedicated parking area may remain unpaved and in greenspace until such time as the need for maximum parking is determined. This decision and determination shall be at the discretion of the Administrator. Such decision shall be ratified by or appealed to the WPC. Such greenspace shall not be counted toward required landscaping or buffer.

#### Section 7.4. Required Parking Spaces.

- A. In determination of required parking spaces, any fraction of less than one-half (0.50) shall be disregarded, while a fraction one-half (0.50) or greater shall be counted as one (1) parking space.
- B. For uses not specified in this section or in the instance requirements for an adequate number of spaces is unclear, the number of spaces shall be determined by the Administrator on the basis of similar requirements, the number of persons served or employed and the capability of adequately serving the visiting

public. Such determination may be reviewed by the WPC or appealed to the WBZA.

C. Unless noted in accordance with this section, the number of required automobile parking spaces shall be considered the minimum allowable number of spaces for any particular use.

D. Total number of parking spaces to be provided by use is identified in the below table:

Automobile Sales, Repair, or Service Station	1 per 200sqft feet of gross floor area, plus 1 per employee, plus 1 per 1,000sqft of lot
Bowling Alleys	4 per lane
Cemetery, Crematory or Mortuary	1 per 2 employees plus 1 per 6 seats
College, University, Trade, or Business Schools	1 per 3 students and employees
Commercial Facility for Raising Non-farm Fowl and Animals	1 per 3 employees plus 1 per 125sqft of sales area
Commercial Greenhouse	1 per 3 employees plus 1 per 125sqft of sales area
Convalescent Home	1 per 4 residents
Day Care Center	1 per 6 children plus 1 per 2 employees
Elementary or Junior High School	3 per classroom
Golf and Country Clubs	3 per golf hole
Government Uses, Library, Information Center	1 per 250sqft
Group Residential Facility, Nursing Home	1 per 4 residents
High School	6 per classroom
Hospital	1 per 4 beds, plus 1 per doctor, plus 1 per 3 employees, plus 1 per hospital vehicle
Hotel, Motel, Bed and Breakfast	1 per sleeping room
Lodge or Private Club	1 per 800sqft of gross floor area
Mass Transit Station	1 per 2 employees plus 1 per 4 public seats
Medical Office, Clinic	1 per 2 employees plus 3 per doctor
Non-profit Membership Organizations, Stadium, Coliseum, Theater	1 per 5 seats
Outdoor Recreation Facility	5 per acre
Residential Dwellings	2 per dwelling unit
Retail: Eating and Drinking Establishments	1 per 3 seats
Retail: General Merchandise, Services: General, Medical, and Personal	1 per 200sqft of gross floor area
Stable, Public	1 per 5,000sqft of lot area
Trailer or Farm Implement Sales Area	1 per 1,000sqft of lot and floor area
Veterinary Animal Hospital, Kennel	1 per 3 animal spaces (cages or pens)

Section 7.5. Joint Use. Non-residential uses, within the same and/or separate structures, may provide joint parking provided the total number of spaces is not less than the sum of requirements for the various uses. To the extent that developments with joint parking operate at different times, such parking spaces may be credited to both uses.

Section 7.6. Satellite Parking. Parking shall be required on site, except as provided in this section; however, the WBZA may grant satellite parking to any non-residential use by Special Exception. At least part of such parking must be within three hundred (300) feet of the proposed use. A site plan must accompany any such application for Special Exception and must include the following:

- A. Adjacent streets, alleys and lots.
- B. All uses to be served including the location, use and number of parking spaces provided.
- C. A layout drawn to scale indicating aisles, driveways, entrances, exits, turn-off lanes, parking spaces, setbacks, drainage facilities, landscaping, lighting, pavement, and identification signs including location, size and design.
- D. All satellite parking shall be developed, maintained and used in accordance with the approved site plan and all other requirements.
- E. Any change or other modification of uses served or number or parking spaces shall require amendment and re-approval by the WBZA.

Section 7.7. Bicycle Parking. Non-residential uses located in the Commercial Sub-District ~~containing thirty (30) or more automobile spaces shall provide bicycle parking facilities at the rate of one (1) bicycle parking space per ten (10) parking spaces, up to a maximum of twenty (20) bicycle parking spaces.~~ Bicycle racks shall be installed to support the frame of the bicycle. **At least five (5) bicycle-parking facilities per business or multi-tenant structure shall be provided.**

Section 7.8. Dimensions of Parking Spaces.

- A. Each parking space shall contain a rectangular area nine (9) feet wide and nineteen (19) feet long, exclusive of pedestrian passageways, access drives, aisles, ramps, or landscaped areas. Handicapped parking spaces shall conform to state and federal requirements regarding handicap accessibility.

It is anticipated that residents in this development will want to walk/bike to the businesses. Therefore, adequate bicycle parking should be provided.

- ~~B. In parking areas containing ten (10) or more parking spaces, up to twenty percent (20%) of the spaces may contain a rectangular area only seven and one half (7.5) feet wide and fifteen (15) feet long. Such spaces shall be conspicuously designated as reserved for small or compact cars.~~
- C. Parking areas set aside for parallel parking shall contain a rectangular area nine (9) feet wide and twenty-two (22) feet long.
- D. Each loading space shall be of a size not less than that required for parking space but scaled larger to delivery vehicles expected to be used.
- E. Driveways shall be a minimum ten (10) feet wide for one-way traffic and eighteen (18) feet wide for two-way traffic, except that a ten (10) foot wide driveway is permissible for two-way traffic when the driveway is not longer than fifty (50) feet and provides access to a maximum of five (5) parking spaces.
- F. Parking Aisle Widths shall conform to the following standards:

Parking Angle (degrees)	0	30	45	60	90
One-way Traffic (feet)	13	11	13	18	24
Two-way Traffic (feet)	19	20	21	23	24

Section 7.9. General Design

For aesthetics, all parking should be behind the business and face the frontage road.

- ~~A. Non-residential parking or loading areas along the street front should be minimized. When possible, parking or loading areas should be placed to the rear of the structure. All parking or loading areas shall be designed with appropriate means of movement and shall be so arranged that movement can proceed safely without posing a danger to pedestrians or other vehicles. No parking area shall be so designed as to require backing into a public street, public or private pedestrian access way, or from a public alley.~~
- B. All parking or loading spaces shall be designed, arranged and regulated as to open directly upon an aisle or driveway without obstruction.
- C. Parking areas shall be striped and channelized as appropriate. Parking spaces shall be marked and access lines clearly defined, including directional arrows to guide internal movement and directional signs as necessary.
- D. All parking or loading areas shall be maintained in good condition and free of weeds, dirt, trash, and debris.

- E. Parking spaces shall be provided with bumper guards or wheel stops along the perimeter of the parking area so located that no part of a parked vehicle will extend beyond the boundary of the parking area.
- F. No more than fifteen (15) parking spaces shall be permitted in a continuous row.
- G. All parking areas consisting of more than sixty (60) spaces shall provide separate pedestrian walkways. Such walkways should generally be oriented perpendicular to and between parking bays.
  - 1. One (1) walkway can serve as a collector for up to four (4) rows of parking spaces.
  - 2. The walkway should be a minimum of four (4) feet wide, allowing an additional thirty (30) inches on each side for overhanging of vehicles.
  - 3. All walkways should be constructed to be clearly defined through the use of material, landscaping or other form of delineation.
- H. Any use which fronts upon and utilizes access to a primary or secondary arterial shall provide and utilize a common frontage or access lane for the purpose of access, parking and loading.
- I. Required parking spaces may be open to the sky or enclosed in a structure. Parking structures shall be treated as any major structure and shall be subject to all applicable structural requirements of this ordinance and the issuance of an ILP.
- J. Parking structures shall be designed to be architecturally compatible with their surroundings, including appearance, size, scale, building materials, and bulk.
- K. All parking areas shall conform to state and federal requirements regarding handicap accessibility.

Section 7.10. Surface. All parking or loading areas ~~for five (5) or more automobiles~~ shall be developed in accordance with the following standards:

- A. Parking and loading areas shall be graded and surfaced with an all-weather paving material such as asphalt, concrete, or other material that will provide equivalent protection against potholes,

All parking areas must be paved.

erosion, and dust. ~~However, a gravel surface may be used for a period not exceeding one (1) year after the date of issuing the Certificate of Occupancy where ground conditions are not immediately suitable for permanent surfacing as specified in this section.~~

- B. All areas shall be striped and channelized as appropriate. Parking stalls shall be marked and the access lines clearly defined, including directional arrows to guide internal movement.

Section 7.11. Landscaping. Parking lots should be effectively landscaped with trees and shrubs to reduce the visual impact of glare, headlights, and parking lot lights from the public right-of-way and from adjoining properties. In addition, parking lots should be adequately shaded to reduce the amount of reflected heat.

For continuity and uniformity, pick one alternative and have it apply to all development.

- A. Perimeter Buffer for Parking. A buffer meeting one of the following width and planting standard alternatives, per 100' of length, shall be provided for parking areas in the Commercial Sub-District abutting any street-front or residential use:

Alternative	Width	Canopy Trees	Understory Trees	Shrubs	Evergreens
1	10'	1	2	3	0
2	15"	1	2	2	0
3	20'	1	1	2	0
4	25'	0	1	1	0

- B. Perimeter Buffer for Loading. A buffer meeting one of the following width and planting standard alternatives, per 100' of length, shall be provided for loading areas in the Commercial Sub-district abutting any street-front or residential use:

Alternative	Width	Canopy Trees	Understory Trees	Shrubs	Evergreens
1	10'	3	5	8	0
2	20"	3	6	9	0
3	25'	2	5	7	0
4	30'	2	4	5	0

For continuity and uniformity, pick one alternative and have it apply to all development.

- C. Buffers shall meet the requirements of Section 8.6 of this 2014 Golf Club of Indiana ordinance.

- D. Interior Landscaping. Interior landscaping shall be comprised of one (1) canopy tree and three (3) shrubs for every fifteen (15) parking spaces.

E. Maintenance. Maintenance of landscaping for parking and loading areas shall be the responsibility of the property owner.

Section 7.12. Lighting. Lighting provided to illuminate off-street parking areas shall be so arranged, shielded and directed upon the parking area in such a manner as to not reflect or cause glare into adjacent properties or interfere with street traffic.

Section 7.13. Loading and Unloading. Uses, except those that do not receive or transport goods in quantity by truck delivery, shall be provided loading berths. Each loading and unloading berth must include a twelve (12) foot by forty-five (45) foot loading space with a fourteen (14) foot height clearance. Loading and unloading berths must be provided in accordance with the below table:

Retail or Department Store, Wholesale Storage, Warehousing or other Business Use	3,000 to 15,000sqft gross floor area - 1 Each 15,000sqft or additional fraction of gross floor area - 1 additional
Office Building	25,000 to 100,000sqft gross floor area – 1 100,000 to 350,000sqft gross floor area - 2 Each 200,000 or additional fraction of gross floor area - 1 additional
Hospital	200 beds or less - 1 200 to 500 beds - 2 more than 500 beds - 3

Section 7.14. Inspections. At the time the structure receives its final inspection, the completion of the landscaping in accordance with these requirements shall also be a part of the final inspection. However, if seasonal circumstances do not permit the planting of the required landscaping, the final inspection of the landscaping shall be performed at a reasonable, later date as determined by the Administrator.

**Section 8. Landscaping, Bufferyards and Open Space Requirements.** Landscaping and Open Space shall be integrated with, and complement other functional and ornamental site design elements, such as hardscape materials, paths, sidewalks, fencing.

Section 8.1. A minimum of 150 acres of the Real Estate shall be allocated to Open Space. Open Space shall include a Golf Course with a minimum area of one-hundred and forty (140) acre Golf Course which provides the minimum amenity package for the Neighborhood Residential Sub-District.

For continuity and uniformity, pick one alternative at this time.

Section 8.2. A buffer meeting one of the following width and planting standard alternatives, per 100' of length, shall be provided between the Commercial Sub-District and the Multi-Family Sub-District:

Alternative	Width	Canopy Trees	Understory Trees	Shrubs	Evergreens
1	15'	3	4	17	8
2	20"	3	5	18	9
3	25'	4	6	24	12
4	30'	3	5	19	10
5	40'	2	4	14	7

\*Alternative buffer 1 and 2 above shall include a maximum 4' tall wood rail fence and /or earth berm.

Section 8.3. A No buffers shall be required between uses internal to the 2014 Golf Club of Indiana District other than the buffer required in Section 8.2 above.

Section 8.4. A buffer consisting of a minimum 40' building setback shall be provided along the perimeter of the Neighborhood Residential Sub-District which is not adjacent to a public street right-of-way. Within the setback (i) existing trees are permitted to remain and (ii) additional landscaping may be planted a minimum of 20' from the perimeter of the Sub-District. This buffer shall be permitted on individual lots and/or common area open space.

For continuity and uniformity, pick one alternative at this time.

Section 8.5. A buffer meeting one of the following width and planting standard alternatives, per 100' of length, shall be required along the perimeter of the Neighborhood Residential Sub-District which is adjacent to the CR 475 East and CR 750 South street rights-of-way:

Alternative	Width	Canopy Trees	Understory Trees	Shrubs	Evergreens
1	10'	4	8	12	0
2	15'	5	9	14	0
3	20'	5	10	15	0
4	25'	4	8	12	0
5	30'	3	6	9	0

\*Alternative buffer 1 and 2 above shall include a maximum 4' tall wood rail fence and /or earth berm.

Section 8.6. Where buffers are required under this Section 8 the following standards shall be followed:

- A. At the discretion of the Administrator, the width of the buffer may include all or a portion of rights-of-way, drainage easements, and utility easements, however plantings shall not be located on any portion of these areas. With this discretion, the Administrator must ensure that the effectiveness of the required buffer shall not be compromised.
- B. All plant material that dies must be replaced within six (6) months so as to maintain the approved buffer and landscape plan.
- C. Deciduous trees are to be a minimum of two (2) inches in diameter or eight (8) feet tall at the time of planting. Evergreen trees shall be a minimum of five (5) feet tall at the time of planting.
- D. Any existing plant material which otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.
- E. The following plant material substitutions shall satisfy the requirements of this section.
  - 1. In all buffers evergreen, canopy or understory trees may be substituted for required tree types without limitation.
  - 2. In all buffers, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation. A landscape plan shall be submitted with each applicable application. Such plan shall be a site plan drawn to scale showing the location, type, size, and category of each plant unit used.
- F. When it has been proven that the required plantings of a buffer cannot be installed because of existing easements or other unavoidable site constraints, the Administrator shall have the discretion to allow the substitution of alternative vegetation, provided that the total number of plantings does not decrease.
- G. The required buffer constitutes the total buffer required between the adjacent land uses. Any of the alternatives for the required buffer shall satisfy the requirement of buffering between adjacent land uses. Each alternative depicts the total buffer located between two (2) parcels.

Section 8.7. Trash receptacles in the Commercial Sub-district shall be completely screened from view by the use of a masonry wall a minimum of 6' in height. Such receptacles shall not be visible from the street front or any adjacent residential use.

**Section 9.**

**Signage:** A sign program for each Sub-district shall be submitted to, and approved by, the Plan Commission pursuant to Sections 11 of this 2014 Golf Club of Indiana District Ordinance. Signs shall comply with the Zoning Ordinance, unless otherwise provided for herein or approved in the sign program by the Plan Commission; provided, however, that off-premise signs shall not be allowed in any Sub-district. This off-premise sign prohibition shall not prohibit incidental signs located at the entrances to non-residential Sub-districts. Signs proposed for each District shall be architecturally compatible with regard to color, materials and design. After approval by the Plan Commission, Minor Alterations to a Sub-district sign program may be submitted to, and shall be approved by, the Administrator. Any alteration which alters the concept or the intent of the original Sub-district sign program shall not be construed to be a Minor Alteration and shall be referred by the Administrator to the Plan Commission for review and approval. Individual signs which conform to the sign program or, in the absence of an approved sign program, conform to the Zoning Ordinance shall not require further approval; provided, however, such signs shall require a sign permit. Initial project marketing and project construction signs along Whitestown Parkway, CR 750 South and CR 475 East shall be exempt from the provisions of the Zoning Ordinance and shall be subject to the approval of the Administrator as to materials, size, height, number and location.

?? define incidental signs.

These initial marketing signs shall be temporary and require a permit.

**Section 10. Additional Requirements and Standards.**

**Section 10.1. Accessory Structures and Uses.** All Accessory Structures and Accessory Uses (such as but not limited to Home Occupations) allowed under the Zoning Ordinance shall be permitted in the 2014 Golf Club of Indiana District; provided, however, that any detached accessory building shall have on all sides the same level of architectural features and shall be architecturally compatible with the principal building(s) with which it is associated. All Accessory Structures and Accessory Uses shall be subject to the provisions of the Zoning Ordinance.

**Section 10.2. Temporary Uses.** All Temporary Uses allowed under the Zoning Ordinance shall be permitted in the 2014 Golf Club of Indiana District subject to the provisions of the Zoning Ordinance.

**Section 10.3. Flood Protection.** Development of the Real Estate shall be subject to the Flood Protection and Flood Hazard requirements of the Zoning Ordinance.

**Section 10.4. Lighting Requirements.** All Lighting on the Real Estate shall comply with the requirements of the Zoning Ordinance.

- A. Street lighting fixtures shall be shielded, contain sharp cutoffs or otherwise be designed to direct light predominately downward as opposed to laterally.

**B. A uniform style of parking lot and street lighting fixture shall be used for each Sub-District.**

When will this be identified?

Section 10.5. Overlay Districts. The Real Estate shall not be subject to any Overlay District of the Zoning Ordinance.

Section 10.6. Radio Communications. Development of the Real Estate shall be subject to the Radio Communications requirements of the Zoning Ordinance.

Section 10.7. Non-Conforming Uses. Development of the Real Estate shall be subject to the Non-conforming use provisions of the Zoning Ordinance.

Section 10.8. Improvement Location Permits. Development of the Real Estate shall be subject to the Improvement Location Permit provisions of the Zoning Ordinance.

Section 10.9. Uses Not Listed. For uses not listed, the Administrator shall attempt to determine if the requested use is similar to a permitted use. If the proposed use is determined to be similar to a permitted use, the permit shall be issued. If the Administrator determines that the use is not similar, then the application shall be denied. In case of uncertainty, the Administrator may refer the request for clarification or classification to the BZA for consideration in accordance with the provisions of the Zoning Ordinance.

Section 10.10 Transportation Plan.

- A. The location and design of all streets on the Real Estate shall be meet the following standards:
  - 1. Local streets and collector streets shall be constructed to the minimum cross-section specifications identified in Exhibit F (Street Type and Cross Section Standards) unless an alternative cross section is approved by the Plan Commission.
  - 2. A collector street shall be constructed through the Real Estate that connects Whitestown Parkway with County Road 750 South as generally depicted in Exhibit F. All other public streets shall be local streets.

The frontage road shall be public right-of-way and shall have a setback.

3. A frontage road, as generally depicted in Exhibit F, shall be required a minimum of 200' from Whitestown Parkway. ~~Building setback standards and shall not be applied to the frontage road and the frontage road may be private at the election of the Controlling Developer.~~

4. Individual driveways shall be permitted along the Collector Street south of the frontage road and for residential uses within the Neighborhood Residential Sub-District.

The only access off of Wtown Pky shall be the existing 525 E as shown on the District Map. All access to future development shall be from streets internal to the development.

B. Access to Whitestown Parkway shall be restricted ~~to a maximum of two (2) driveway access points in addition to any existing or approved public street intersection with Whitestown Parkway.~~

C. Development of the 2014 Golf Club of Indiana District shall meet all applicable and related road improvement requirements as identified in and required under the Zoning Ordinance and Subdivision Control Ordinance.

D. Dedication of right-of-way shall be made for the following streets along the perimeter of the Real Estate, the minimum width of which is as identified below, at the time of Secondary Plat and/or Development Plan approval for that portion of the Real Estate included in said Secondary Plat and/or Development Plan:

1. Whitestown Parkway: 50' half Major Arterial - 55' half

2. CR 475 East: 32.5' half Minor Collector - 35' half

3. CR 750 South: 37.5' half Major Collector - 40' half

4. All other Streets: 50' full width Local Streets - 50' full right-of-way

Per 2012 Road Classification (Figure 4 and Table 12)

Why not?

Section 10.11.Sidewalks. With respect to streets bordered on one side by Open Space, sidewalks internal to the 2014 Golf Club of Indiana District shall not be required on the sides of the street where adjacent to Open Space.

Section 10.11.Standards for subdivision Improvements.

Streets will still need to be constructed to the town's local street standards, regardless if they're private.

- A. A maximum of ten (10) local street segments within the Neighborhood Residential Sub-District may be private and constructed to the standards necessary to accommodate lot development surrounding the Golf Course provided no private street segment is greater than six hundred (600) feet in length.
- B. The minimum cul-de-sac roadway width shall be forty (40) feet, back of curb to back of curb, with a minimum right-of-way diameter of one hundred (100) feet.
- C. Local and collector street shall require a one (1.0) inch surface layer of asphalt.
- D. Sprinkler systems including sprinkler heads shall be permitted in the public right-of-way. Maintenance of the sprinkler system shall be the sole responsibility of the owner including but not limited to replacement and repair of sprinkler heads and lines damaged by street maintenance equipment and utility companies.
- E. Utility easements serving individual lots shall generally run along the street frontage of the lot(s).
- F. Markers (iron pipes or steel bars) shall be use as opposed to concrete monuments at the intersection of the center lines of streets and center points of cul-de-sac turnarounds.

Irrigation systems must be on their own separate meters.

## **Section 11. Procedural Provisions.**

### **Section 11.1. Primary Plat Approval and Secondary Plat Approval.**

- A. Development of the Real Estate shall comply with the Primary Plat and Secondary Plat requirements of the Zoning Ordinance and Subdivision Control Ordinance, subject to compliance with and amended and modified by all applicable Development Requirements of this 2014 Golf Club of Indiana District ordinance.
- B. The Multi-Family Residential and Commercial Sub-Districts may be platted.
- C. The Real Estate shall not be subject to the Subdivision Design and Open Space standards of the Subdivision Control Ordinance. Applicable standards including but not limited to Open Space, Anti-monotony and Amenity Center Standards are included in Exhibit E (Residential Subdivision Design Standards).

D. Secondary Plat approval shall require review by the Plan Commission unless specifically delegated to the Administrator by the Plan Commission.

Section 11.2. Development Plan Approval. Development of the Real Estate shall comply with the Development Plan review and approval requirements of the Zoning Ordinance and shall be subject to compliance with all applicable Development Requirements of this 2014 Golf Club of Indiana District ordinance.

Section 11.3. Modification of Development Requirements (Subdivision Waiver). The Plan Commission may, after a public hearing, grant an applicant a waiver subject to the requirements of the Zoning Ordinance and Subdivision Control Ordinance.

Section 11.4. Variance of Use and Development Requirements: The BZA may authorize (i) Variances of Use and Development Requirements from the terms of the 2014 Golf Club of Indiana District ordinance and (ii) Special Exceptions, subject to the procedure prescribed in the Zoning Ordinance.

## **Section 12. Controlling Developer's Consent.**

Section 12.1. Controlling Developer's Consent. Without the written consent of the Controlling Developer, no other developer, user, owner, or tenant may obtain any permits or approvals, whatsoever, with respect to the Real Estate or any portion thereof and, as such, and by way of example but not by limitation, none of the following may be obtained without the approval and consent of the Controlling Developer:

- A. Improvement location permits for any improvements within the Real Estate;
- B. Sign permits for any Signs within the Real Estate;
- C. Building permits for any Buildings within the Real Estate;
- D. Development Plan, Primary Plat or Secondary Plat approval for any part of the Real Estate; and
- E. Any text amendments, variances, modifications of Development Requirements or other variations to the terms and conditions of this 2014 Golf Club of Indiana District ordinance.

**Section 13. Violations and Enforcement.** All violations and enforcement of this 2014 Golf Club of Indiana Ordinance shall be subject to the provisions of the Zoning Ordinance.

**Section 14. Definitions and Rules of Construction.**

Section 14.1 General Rules of Construction. The following general rules of construction and definitions shall apply to this 2014 Golf Club of Indiana District ordinance:

- A. The singular number includes the plural and the plural the singular, unless the context clearly indicates the contrary.
- B. Words used in the present tense include the past and future tenses, and the future the present.
- C. The word “shall” indicates a mandatory requirement. The word “may” indicates a permissive requirement.

Section 14.2 Definitions. The definitions (i) of the capitalized terms set forth below in this Section 14.2, as they appear throughout this 2014 Golf Club of Indiana Ordinance, shall have the meanings set forth below in this Section 14.2 and (ii) of all other capitalized terms included in this 2014 Golf Club of Indiana Ordinance and not defined below in this Section 12.2, shall be the same as set forth in the Zoning Ordinance.

Controlling Developer: Shall mean BHI Retirement Communities, Inc., until such time as BHI Retirement Communities, Inc., transfers or assigns, in writing, its rights as Controlling Developer.

Density (dwelling units/acre): Density shall be applied to the overall acreage of the Sub-District in which density is being calculated and shall not be calculated on the basis of an individual Subdivision Primary Plat or parcel(s) of real estate.

Development Requirements: Written development standards and any written requirements specified in this 2014 Golf Club of Indiana ordinance, which must be satisfied in connection with the approval of, but not limited to, Development Plans, Primary Plats, Secondary Plats and Building Permits.

District Map: The District Map attached hereto and incorporated herein by reference as Exhibit C (District Map).

Model Home: A finished, residential unit, including units in a multi-family structure utilized as an example of a product offered for sale to

purchasers by a realtor, builder, developer, or contractor. The dwelling may be furnished but not occupied as a residence while being used as a Model Home.

Open Space: Open space shall comprise (i) Common space that provides light and air and is designed for environmental, scenic, or recreational purposes. Cropland, forested areas, or pastureland qualifies as open space. Open space may include turf areas, decorative plantings, walkways, active and passive recreation areas, playgrounds, and wooded areas. Open space shall comprise Primary Conservation Areas and Secondary Conservation Areas. Open space shall not include areas devoted to public or private streets or rights-of-way, and also (ii) a parcel or parcels of land, areas of water, or a combination of land and water, including flood plain and wetland areas, located within the Real Estate and designated as such by the Controlling Developer. Except as otherwise provided herein, open space does not include any area which is divided into individual single-family detached Dwelling Lots or streets. Open Space shall include without limitation (i) all landscape areas within commercial uses, (ii) all landscape areas within multi-family uses (iii) and all real estate conceptually identified as “Open Space / Golf Course” on the District Map.

Real Estate: The Real Estate legally described in Exhibit A-1 (Legal Description) and graphically depicted on Exhibit A-2 (Map of Legal Description).

Sub-District(s): Any one or any combination of (i) the Neighborhood Residential Sub-District, (ii) the Multi-Family Sub-District, (iii) the Commercial Sub-District, and (iv) the Open Space / Golf Course Sub-District as depicted on the District Map or as context requires. The size and configuration of each Sub-District may be enlarged or reduced by up to twenty percent (20%); provided, however, that the maximum number of Dwellings specified in this 2014 Golf Club of Indiana ordinance shall remain unaffected. The size and configuration of the Neighborhood Residential and Open Space / Golf Course Sub-Districts may change by more than twenty percent (20%); provided the Open Space / Golf Course Sub-District includes a minimum of one hundred and forty (140) acres, and at least 30% openspace overall is maintained throughout the development.

Commercial Sub-District: What is identified on the District Map as “Commercial”.

Multi-Family Residential Sub-District: What is identified on the District Map as “Multi-Family”.

Neighborhood Residential Sub-District: What is identified on the District Map as “Neighborhood Residential” as depicted on the District Map.

Open Space / Golf Course Sub-District: What is identified as “Open Space / Golf Course” on the District Map and shall include a minimum of 140 acres.

Subdivision Control Ordinance: The Whitestown Subdivision Control Ordinance, as amended.

Zoning Ordinance: The Zoning Ordinance of Whitestown, Indiana, as amended.

This Instrument prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 3105 East 98<sup>th</sup> Street, Suite 170, Indianapolis, IN 46280.

## Exhibit A-1

### Legal Description

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Parcel Numbers:   #020-05460-00       #020-05460-01  
                      #020-02310-00       #020-02310-01  
                      #020-05110-01       #020-05980-00

Part of the Southeast Quarter of the Southeast Quarter of Section 2, part of the North Half of Section 12 and the Southwest quarter of Section 1, all of which are located in Township 17 North, Range 1 East, Perry Township, Boone County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of said Section 12; thence North 01 degrees 17 minutes 33 seconds West 2,642.84 feet along the West line of said Northwest quarter to the Northwest corner of said Northwest quarter also being the Southeast corner of said Southeast quarter of the Southeast quarter of said Section 2; thence South 89 degrees 27 minutes 15 seconds West 793.73 feet along the South line of said Southeast quarter quarter; thence North 01 degrees 11 minutes 38 seconds West 330.00 feet; thence South 89 degrees 27 minutes 15 seconds West 524.77 feet parallel with said South line to the West line of said Southeast quarter quarter; thence North 01 degrees 11 minutes 38 seconds West 330.00 feet along said West line; thence North 89 degrees 27 minutes 15 seconds East 1,318.34 feet parallel with said South line to the West line of said Southwest quarter of said Section 1; thence North 01 degrees 12 minutes 30 seconds West 1,995.97 feet along said West line to the Northwest corner of said Southwest quarter; thence North 87 degrees 41 minutes 28 seconds East 1,322.44 feet along the North line of the Northwest quarter of said Southwest quarter to the Northwest corner of the Northeast quarter of said Southwest quarter; thence North 87 degrees 43 minutes 05 seconds East 1,330.83 feet along the North line of said Northeast quarter of said Southwest quarter to the Northeast corner of said Southwest quarter; thence South 00 degrees 51 minutes 40 seconds East 2,685.25 feet along the East line to the Southeast corner of said Southwest quarter also being the Northwest corner of the Northeast quarter of said Section 12; thence North 87 degrees 11 minutes 06 seconds East 1,960.77 feet along the North line of said Northeast quarter to the Northeast corner of the West half of the Northeast quarter of said Northeast quarter; thence South 01 degrees 11 minutes 32 seconds East 1,326.17 feet along the East line of said West half to the Southeast corner of said West half; thence South 87 degrees 33 minutes 58 seconds West 653.96 feet along the South line of said Northeast quarter to the Northeast corner of the Southwest quarter of said Northeast quarter; thence South 01 degrees 10 minutes 17 seconds East 1,321.84 feet along the East line of said Southwest quarter to the Southeast corner of said Southwest quarter; thence South 87 degrees 56 minutes 48 seconds West 1,308.71 feet along the South line of said Southwest quarter to the Southeast corner of said Northwest quarter of said Section 12; thence South 87 degrees 58 minutes 18 seconds West 1,915.54 feet along the South line of said Northwest quarter; thence North 02 degrees 01 minutes 42

seconds West 192.00 feet; thence South 87 degrees 58 minutes 18 seconds West 453.75 feet parallel with said South line; thence South 02 degrees 01 minutes 42 seconds East 192.00 feet to said South line; thence South 87 degrees 58 minutes 18 seconds West 260.00 feet along said South line to the place of beginning, containing 434.338 acres, more or less.

**Exception (1 Ac Triangle Property)**

Part of the West half of the Northwest quarter of Section 12, in Township 17 North, Range 1 East, Perry Township, Boone County, Indiana, more particularly described as follows:

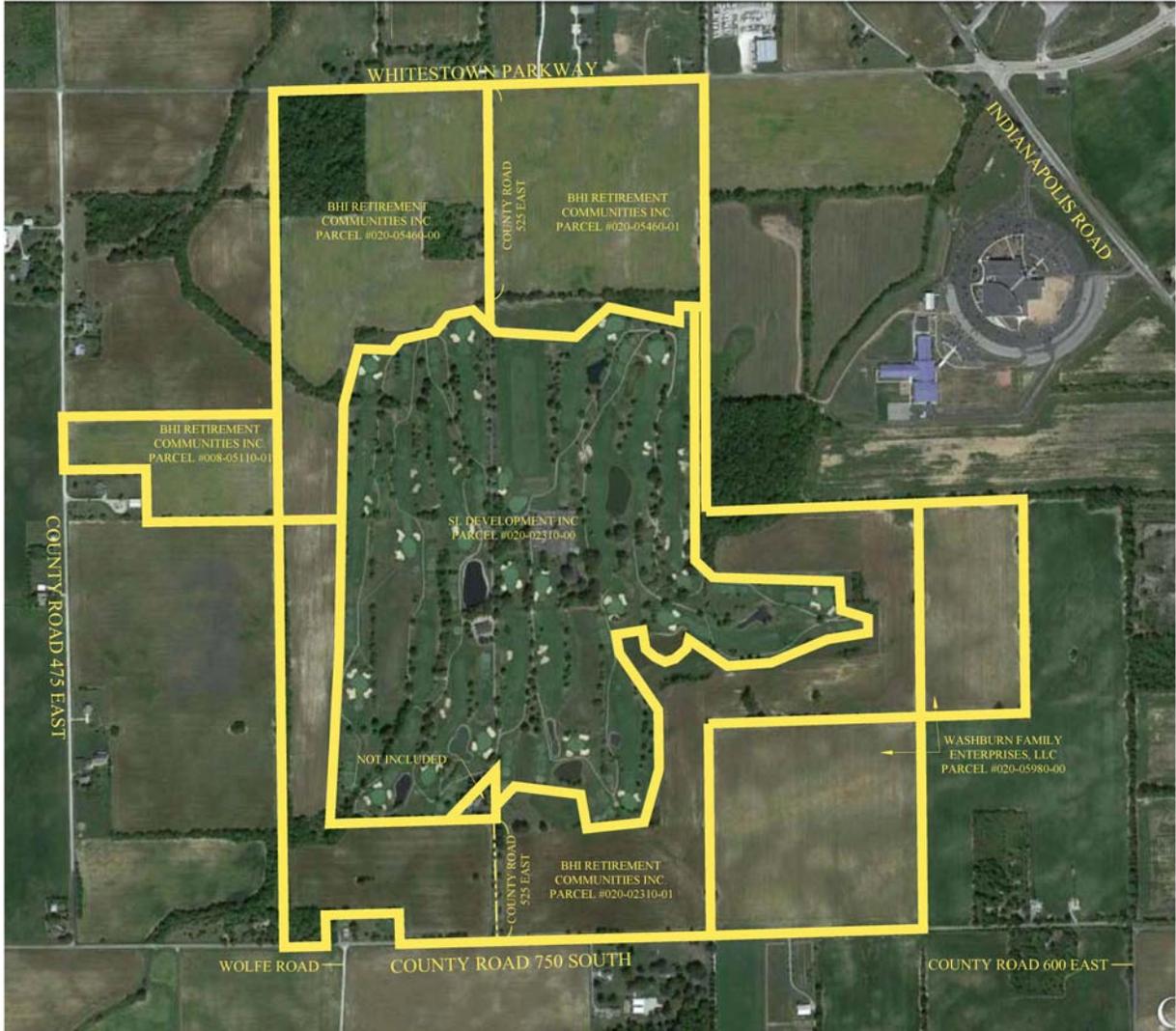
Commencing at the Southwest corner of the Northwest Quarter of said Section 12; thence North 87 degrees 58 minutes 18 seconds West 1,314.64 feet along the South line of said Northwest quarter to the Southeast corner of said West half of said Northwest quarter; thence North 01 degrees 12 minutes 41 seconds West 762.18 feet along the East line of said West half to the Point of Beginning of this description; thence South 87 degrees 41 minutes 35 seconds West 295.96 feet; thence North 43 degrees 14 minutes 56 seconds East 422.65 feet to said East line; thence South 01 degrees 12 minutes 41 seconds East 296.00 feet along said East line to the place of beginning, containing 1.005 acres, more or less.

Containing in all 433.333 acres, more or less.

## Exhibit A-2

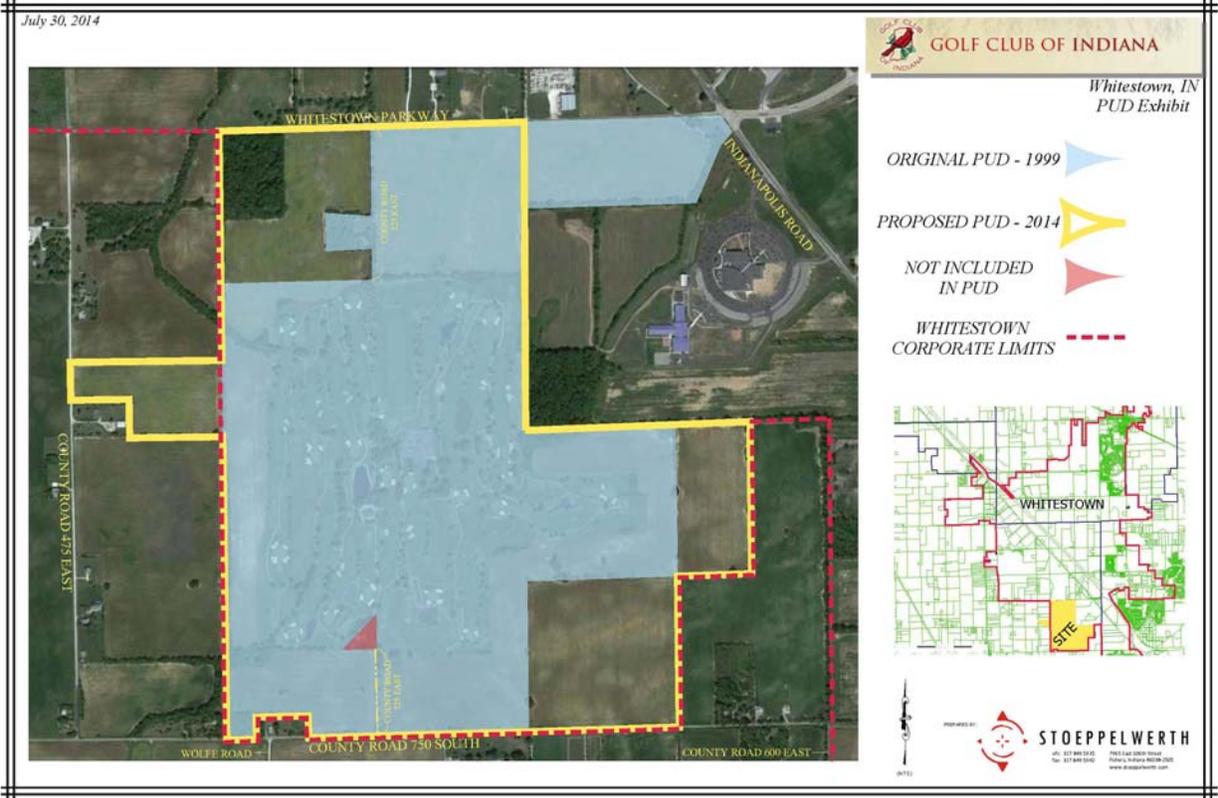
### Location of Real Estate

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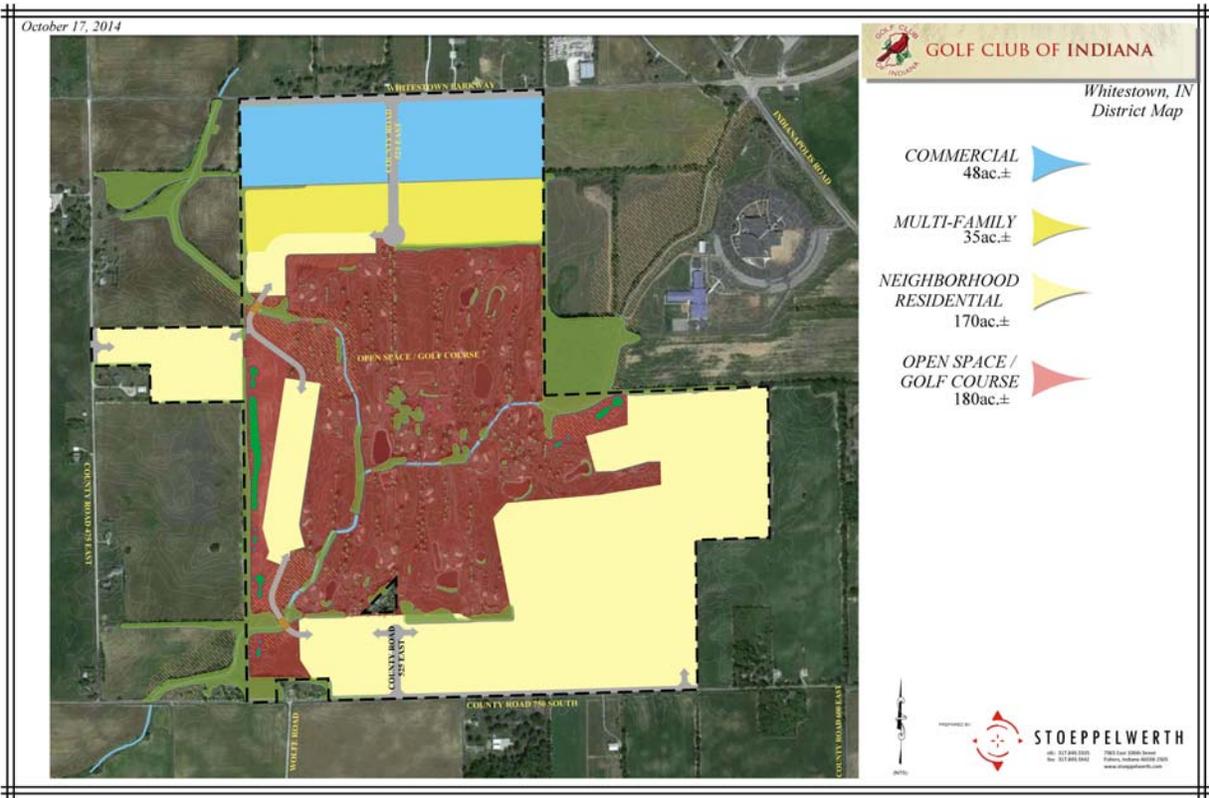


# Exhibit B

## PUD Exhibit



# Exhibit C District Map



## Exhibit D

### Authorized Uses

P = Permitted Uses  
 SE SU = Special Exception  
 Blank = Not Permitted

	<b>Neighborhood</b>			<b>Open</b>
	<b><u>Residential</u></b>	<b><u>Multi-Family</u></b>	<b><u>Commercial</u></b>	<b><u>Space</u></b>
<b>Government</b>				
Municipal or Government Buildings	P	P	P	
Police, Postal or Fire Station	P	P	P	
Publicly Owned Park or Recreational Facility	P	P	P	
<b>Non-Industrial Farm, Agricultural, Animal Related Uses</b>				
Animal Day Care Facility			P	
Farm	P	P	P	P
Hay, Grain and Feed Store			P	
Kennel, Small			P	
Plant Nursery			P	
Roadside Produce Stand			P	
Veterinary Animal Hospital			P	
<b>Non-profit Membership Organizations</b>				
Business Associations			P	
Charitable Institutions			P	
Church or Temple	P	P	P	
Civic, Social or Religious Organizations			P	
<b>Recreation, Amusement, Tourism</b>				
Bed and Breakfast			P	
Billiard & Pool Establishments			P	
Bowling Alleys			P	
Dance Halls, Studios & Schools			P	
Golf & Country Clubs	P	P		P
Golf Driving Range & Miniature Golf Course			P	
Hotel or Motel			P	
Indoor Recreation Facility			P	
Lodge or Private Club			P	
Motion Picture Theater			P	
Museum or Art Gallery			P	
Public Golf Course	P	P		P
Skating			P	
Stable, Public			P	
Theatre, Outdoor			P	

P = Permitted Uses  
 SU = Special Exception  
 Blank = Not Permitted

	<b>Neighborhood</b>			<b>Open</b>
	<b><u>Residential</u></b>	<b><u>Multi-Family</u></b>	<b><u>Commercial</u></b>	<b><u>Space</u></b>
<b>Residential</b>				
Customary Home Occupation (Accessory Use)	SU	SU	P	
Day Care Center		SU	P	
Dwelling – Multi-Family		P	SU	
Dwelling – Single Family	P	P	SU	
Dwelling – Two-Family	P	P	SU	
Fraternity, Sorority or Student Housing		P	P	
Group Residential Facility	P	P	P	
Major Residential Subdivision	P	P	SU	P
Model Home	P	P		
Minor Residential Subdivision				
Nursing Home		P	P	
Temporary Mobile Home	P	P	P	

If the Opens Space district and the Residential districts can flex, then there's no need to permit residential development in the Open Space district.

P = Permitted Uses  
 SU = Special Exception  
 Blank = Not Permitted

	<b>Neighborhood</b>			<b>Open</b>
	<b><u>Residential</u></b>	<b><u>Multi-Family</u></b>	<b><u>Commercial</u></b>	<b><u>Space</u></b>
<b>Retail, Trade, Food Store</b>				
Cafeteria, Restaurant			P	
Candy, Nut & Confectionary			P	
Carry Out Restaurant			P	
Dairy Products, Health Foods			P	
Dinner Theater			P	
Drive-In Restaurant			P	
Fruits & Vegetables			P	
Grocery, Bakery, Meat & Fish			P	
Tavern			P	
Antique Store			P	
Apparel Shop, Shoes, Custom Tailoring			P	
Bait Sales			P	
Bicycle Shops			P	
Book & Stationary Store			P	
Camera & Photographic Supply			P	
China, Glassware, Metalware			P	
Department Store			P	
Drapery, Curtain & Upholstery			P	
Drug Store			P	
Electrical Supply Store			P	
Farm & Garden Supply			P	
Floor Coverings			P	
Florists, Furriers			P	
Gift, Novelty & Souvenir Shops			P	
Hardware or Variety Store			P	
Hobby, Toy & Game Shops			P	
Household Appliances, Furniture			P	
Jewelry Store			P	
Liquor Store			P	
Lumber & Building Materials Dealer			SU	
Music & Video Stores			P	
News Dealers			P	
Paint, Glass & Wallpaper Store			P	
Pet Shops			P	
Plumbing, Heating & Air Conditioning Dealer			P	
Shopping Center			P	
Sporting Goods			P	
Studio Business	SU	SU	P	
Tobacco Stores			P	

P = Permitted Uses  
 SU = Special Exception  
 Blank = Not Permitted

	<b>Neighborhood</b>			<b>Open</b>
	<b><u>Residential</u></b>	<b><u>Multi-Family</u></b>	<b><u>Commercial</u></b>	<b><u>Space</u></b>
<b>Services, General</b>				
Accounting, Auditing & Bookkeeping Service			P	
Advertising Agencies			P	
Agricultural Credit Institutions			P	
Attorney Services			P	
Auto License Branch			P	
Banks & Branch Banks			P	
Blueprinting & Photocopying			P	
Bond & Mortgage Company			P	
Clothing Rental			P	
Coin Operated Laundry & Dry-cleaning			P	
Collection Agencies			P	
Commercial Testing Laboratories			P	
Counselor-At-Law			P	
Detective Agencies & Protective Services			P	
Diaper Service			P	
Disinfecting & Exterminating Services			P	
Dressmaking			P	
Electrical Repair Shop			P	
Engineering & Architectural Service			P	
Insurance Agents, Brokers & Service			P	
Newspaper Publishing			P	
Private Employment Agencies			P	
Professional Office			P	
Real Estate Service			P	
Reupholster & Furniture Repair			P	
Shoe Repair			P	
Stenographic Service			P	
Stock Brokers & Dealers			P	
Tailoring & Pressing Shops			P	
Temporary Help Supply Services			P	
Watch, Clock & Jewelry Repair			P	

P = Permitted Uses  
 SU = Special Exception  
 Blank = Not Permitted

	<b>Neighborhood</b>			<b>Open</b>
	<b><u>Residential</u></b>	<b><u>Multi-Family</u></b>	<b><u>Commercial</u></b>	<b><u>Space</u></b>
<b>Services, Medical</b>				
Blood Banks			P	
Clinic			P	
Convalescent Homes		P		
Hospitals			P	
Life Care Facility		P		
Medical & Dental Laboratories			P	
Medical Office			P	
<b>Services, Personal</b>				
Barber Shop, Beauty Shop			P	
Mortuary			P	
Photographic Studio			P	
Reducing & Health Salons			P	
<b>Utilities, Transportation, Communications</b>				
Wireless Communication Facility			SU	
<b>Vehicle Dealers, Repair &amp; Services</b>				
Automatic Car Wash			P	
Automobile Body Shop & Painting			SU	
Automobile or Motorcycle Sales			P	
Automobile Parts Supply			P	
Automobile Repair, Service Station			P	
Parking Garage			P	
Parking Lot			P	
Passenger Car Rental			P	
Tire, Battery & Accessory Dealers			P	
Truck Sales, Rental, Leasing, Repair			P	
Truck Service Center			P	

## Exhibit E

### Residential Subdivision Design Standards

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- A. Open Space and Amenity Center Requirements. Open Space shall be comprised of the minimum one-hundred and forty (140) acre Open Space / Golf Course Sub-District. This Sub-District includes an 18-hole Golf Course and provides the minimum amenity package for the Neighborhood Residential Sub-District. Additional amenities and Open Space areas may be added to the Residential Sub-District and/or the Golf Course / Open Space Sub-District at the election of the Controlling Developer.
- B. Anti-Monotony Requirements.
1. Marginal Access Street Standards. Marginal access street rights-of-way shall be separated from the CR 475 East and CR 750 South rights-of-way by a common area at least fifty (50) feet wide. Within the aforementioned common area, the Controlling Developer shall install the same minimum landscaping as is required under Section 8.5 of this 2014 Golf Club of Indiana PUD ordinance.
  2. The following Architectural Design Standards shall apply to all homes constructed on the Real Estate. The Controlling Developer shall track compliance with the Architectural Design Standards and, at the request of the Administrator, the Controlling Developer shall prepare and submit a report detailing compliance with the Architectural Design Standards.
    - a. Garages.
      - i. The garage on homes constructed on the Real Estate with a two-car front-loading garage shall not exceed sixty percent (60%) of the primary structure's total width.
      - ii. Homes constructed on the Real Estate with a three car garage shall be allowed to have the front loading garage exceed sixty percent (60%) of the primary structure's total width only if the following conditions are met:
        - The third-car garage will be set at least twelve (12) inches behind the front elevation of the two-car garage or the balance of the primary structure of the home (whichever is most forward).
        - If a third car garage or garage bump is elected, so long as it is set back a minimum of twelve inches (12") from the balance

of the primary structure of the home, it will not be included in the garage width calculation.

- iii. Front loading garages shall be allowed to exceed a four-foot (4') extension past the front of the primary structure of a home constructed on the Real Estate only if the following conditions are met:
  - If a home, excluding single level or single story homes, has a garage which extends more than six feet (6') in front of the primary structure of the home, at least two (2) windows will be added to the porch facing side facade of the garage.
  - A single level or single story home shall not have a garage which extends more than six feet (6') in front of the primary structure of the home.
  - No more than fifty percent (50%) of the homes in the Development will have a garage protrusion past the front of the primary structure of the home of over six feet (6'), and none shall protrude more than fourteen feet (14').
- iv. Side or Rear-loading Garage. Side and rear-loading garages may encroach up to two (2) feet over the minimum front setback line.

b. Perimeter Lot Standards.

- i. Earth mounding shall be installed between the rear lot lines and property lines along the perimeter roads (County Road 750 South and County Road 475 East) that is at least four to six feet (4'-6') in height. The exact design will be coordinated with necessary easements, floodplains, floodways, etc. requirements.
- ii. Plantings on mounds will consist of a minimum of ten (10) evergreens at least seven feet (7') tall at time of planting and five (5) deciduous trees at least two inches (2") in caliper at time of planting per one hundred (100) linear feet of frontage.
- iii. Where the common area along the perimeter road is greater than one hundred fifty feet (150') between a rear lot line and the right-of-way, two additional trees will be planted in the rear yard of the lot or the common area.

- c. Rear or Side Façade. Any rear or side façade of a dwelling that is within zero degrees (0<sup>0</sup>) to forty-five degrees (45<sup>0</sup>) of being parallel to an established perimeter road shall be required to have one (1) of the following:

- i. An all-season sunroom at least eleven (11) feet by eleven (11) feet;
- ii. An all-brick functional chimney at least two (2) feet offset from the façade and at least four (4) feet in width (only an option for fiber-cement sided facades); and a wood deck at least one hundred twenty (120) square feet in area;
- iii. A minimum four (4) foot offset from the rear façade over the course of sixty percent (60%) of the rear façade, and parallel to the rear façade;
- iv. A minimum eight (8) foot offset from the rear façade over the course of forty percent (40%) of the rear façade, and parallel to the rear façade;
- v. A minimum of fifty percent (50%) brick or stone on the entire rear elevation. This option is only allowed if the rest of the home has at least fifty percent (50%) brick on its elevations;
- vi. A screened-in porch at least nine (9) feet deep and twelve (12) feet wide incorporated into the architecture of the structure; or
- vii. Planting two (2) additional canopy trees native to central Indiana in the rear yard in such a manner as to soften the view of the façade. Said trees must be two (2) inch DBH.
- viii. No more than ten percent (10%) of all perimeter lots shall utilize option (vii) above; and no other single option listed above shall be utilized on more than forty percent (40%) of all perimeter lots

d. General Lot Standards.

- i. At least one Model Home shall be constructed as part of the first phase of development of the Neighborhood Residential Sub-District.
- ii. All Model Homes shall have a minimum square footage of two thousand one hundred (2,100) square feet, include a third car garage, and meet the rear facade standards of this Exhibit E, Section B.2.c.
- iii. The approval of consecutive sections shall not be granted until the model home(s) in prior sections are constructed.
- iv. The quantity and location of all model homes to be constructed

shall be established by the Controlling Developer at the time of Primary Plat approval.

e. Floor Plan and Façade.

- i. The Neighborhood Residential Sub-District shall have a minimum of eight unique floor plans, each with a minimum of four facade options.
- ii. The floor plans and facade options shall be submitted with each Secondary Plat Application within the Sub-District.
- iii. Owner or a builder of homes within the Neighborhood Residential Sub-District shall provide evidence at the time of building permit application that homes follow the below anti-monotony standards to ensure that:
  - The subject home cannot be of the same elevation of the same plan as homes adjacent to it and across the street from it. It must have a different color package.
  - The subject home cannot be of the same elevation of the same plan as homes two doors down and across the street by one lot. Homes can have the same brick, but cannot have the same color package.
  - The subject home may have the same plan and elevation of homes three doors down and across the street by two lots, but it must be a different color package.
  - The subject home may be identical to homes that are four doors down and across the street by three lots.
- iv. For the purposes of applying the standards and requirements of this Exhibit E homes on corner lots shall only be considered to have one front façade which shall generally be the façade of the home including the front door.

f. Windows.

- i. Any rear or side façade of a primary structure that is within zero degrees ( $0^{\circ}$ ) to forty-five degrees ( $45^{\circ}$ ) degrees of being parallel to an established perimeter road shall have enhanced window treatments. Eighty percent (80%) of all windows on a rear or side façade shall be required to have at least one (1) of the following window treatments (or combinations thereof). Windows in brick

facades and in sunrooms shall be exempt from this provision.

- Shutters;
  - Masonry lintel or arch and projecting sill (only an option for brick facades);
  - Decorative head (pediment-shaped, eyebrow, arch, or cornice) and projecting sill;
  - Three and one-half (3 ½) inch minimum trim and projecting out from the plane of the siding by at least three-fourths ( $\frac{3}{4}$ ) of an inch;
  - Two (2) inch minimum trim projecting out from the plane of the siding by at least three-fourths ( $\frac{3}{4}$ ) of an inch, and durable wood window boxes.
- ii. Minimum Number: Two (2) windows are required per floor on the front and rear façade. Side facades on a single-story home shall cumulatively have three (3) windows, with a minimum of one (1) per side façade. Side facades on a two story home shall cumulatively have five (5) windows, with a minimum of two (2) per side façade.
- **Pairing.** Two (2) windows may be paired together to meet this requirement. For example, a paired double-hung window would count as two (2) windows...**provided there's a minimum area of XX.**
  - Single story homes that have at least seventy (70) square feet of combined total window area shall not be required to **comply.** **comply with what?**
  - Two-story homes that have at least one hundred fifty (150) square feet of combined total window area shall not be required to **comply.** **comply with what?**
  - Windows less than ten (10) square feet in area will not be counted toward the combined total window area listed above.
- g. Roof System. Single-gable roof design is prohibited. At least forty percent (40%) of the cumulative roof system on the primary structure shall be cross-gables, independent gables, dormers, hips, flat roofs, or similar variation.

C. Fence and Wall Standards.

1. Perimeter lots shall not establish a perimeter fence or wall (a fence on or near the property line) except when it is a single fence type, color, height, and setback from the property line determined by the developer and written into the restrictive covenants. Essentially, all fences for those properties shall be uniform in character and location. Note: Perimeter lots may install fences of their own choosing within the building envelope as long as it meets all other applicable regulations.
2. The structural side of perimeter fences or walls shall be oriented inward toward the subdivision.
3. Under no circumstances shall fences be chain link, wire, privacy fences, or the like. Acceptable fences include ornamental metal, wood split rail, and wood or PVC rail or picket, and the like.

4. Fences shall not be placed in any drainage or utility easements.

This should be reiterated in the development's covenants!!!

D. Subdivision Lot Landscaping Standards.

1. One (1) street tree per forty (40) linear feet of lot frontage, or fraction thereof shall be planted a minimum of twenty (20) feet on center and maximum of fifty-five (55) feet on center in the front yard of each lot.
2. A deciduous canopy tree shall be required in the rear yard of all Perimeter Lots and may be planted in the side yard instead if the Boone County Surveyor's office indicates that it is not allowed in the rear yard due to easement restrictions.

E. Lot Size Standards.

1. All corner lots shall be twenty-five percent (25%) larger than the minimum lot area and minimum lot width.
2. One (1) of every ten (10) contiguous lots shall be fifteen percent (15%) larger than the minimum lot area.
3. A diagram illustrating compliance with these lot size standards shall be submitted at the time an application is filed for Primary Plat.

F. Home Setback Standards.

1. Front Setback Variation. All residential subdivisions shall have variation in the established front setback for primary structures as to avoid a monotonous streetscape. No three (3) homes in a row shall have the same established

front setback, and variations shall be in at least one (1) foot increments. For every primary structure that has an established setback beyond the required front setback, another primary structure is allowed to project into the required front setback by the same amount. However, a primary structure may not project forward of the required front setback by more than three (3) feet. Additionally, front porches (allowed projections into the front setback) and variations in rooflines should be used to create the illusion of variations in established front setback.

2. Side Setback. If eighty percent (80%) or more of the primary structures in the development, or phase of the development, will have side-load or rear-load garages, then the minimum side yard setback shall be reduced to two (2) feet. However, all primary structure separation shall be equal to the aggregate of the required side setback. 5 feet should be the minimum setback, regardless of garage orientation.

G. Home Construction Standards. Homes in the Neighborhood Residential Sub-district shall be constructed in compliance with the following Construction Standards:

1. Vinyl Siding will follow the following
  - a. Minimum thickness of forty-two thousandths of an inch (0.042")
  - b. Vinyl panels shall include a minimum butt or panel projection of three-quarter inch (3/4")
2. OSB or foam sheathing will be used.
3. A rear stoop, patio or deck will be constructed on any home that has a basement.
4. Each home shall have a driveway with a maximum width of sixteen (16) feet at its intersection with the sidewalk in front of the home and a minimum width of sixteen (16) feet at its intersection with the garage of the home. A driveway may flare outward up to two (2) feet on either side of the driveway as it approaches the curb. Nothing in this construction standard shall be construed to prohibit the installation of a driveway in front of a third-car garage as long as the maximum width at the intersection of the driveway with the sidewalk is no greater than sixteen (16) feet. A diagram illustrating compliance this requirement shall be submitted at the time an application is filed for Primary Plat.
5. All homes shall utilize one or more of the following roof features on the front façade:
  - a. Change in Roof Ridge Direction
  - b. Change in Roof Ridge Elevation
  - c. Dormer
  - d. Hip Roof Accent

e. Reverse Gable

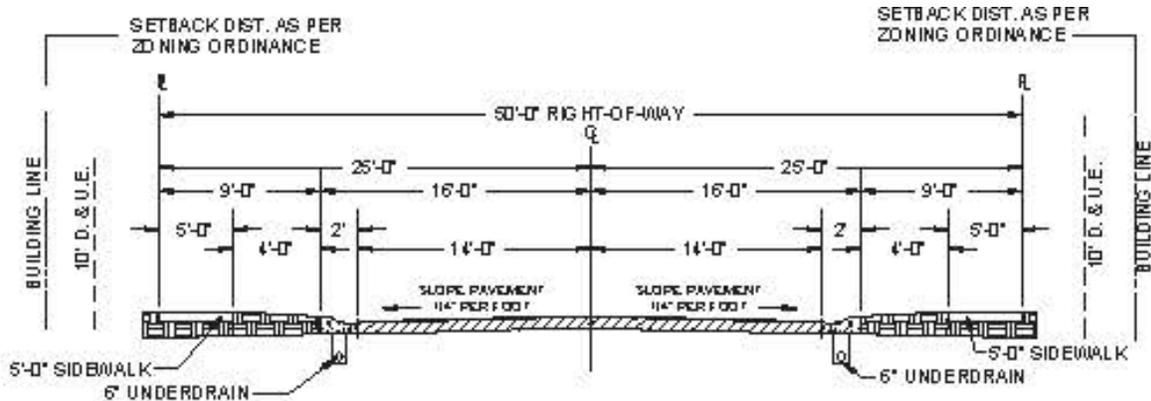
6. All homes will have three-tab, twenty-five (25) year shingles.
7. All homes will have a minimum façade modulation of two (2) feet on the front façade. By way of example all homes must have a minimum two (2) feet of variation along the floor plan of the home.
8. All homes will have a covered front porch at least twenty (20) square feet in area.
9. All homes will have trim molding.
10. The minimum landscaping for each home will include:
  - a. One (1) deciduous tree at least one and one-half (1.5) inch in caliper
  - b. One (1) crabapple tree at least one and one-half (1.5) inch in caliper
  - c. Eight (8) shrubs – minimum height of eighteen (18) inches
  - d. Landscape beds will be mulched
  - e. Sod in front yard to front corners with seed and straw on side and rear yards. On corner lots, sod will be placed in both yards facing the streets, with the sod to extend on the side of the home from the front yard to the rear of the home.
11. Horizontal exterior trim boards have aluminum drip cap to prevent rotting over time.
12. Housewrap installed on all exterior walls and attic spaces with plastic cap nails. Horizontal seams overlapped six (6) inches and taped continuously to prevent tearing in windy conditions. Vertical seams overlapped twelve (12) inches and seams taped.
13. Exterior wall penetrations utilize Quickflash or Fortiseal panels integrated with the housewrap in shingle fashion and taped.
14. Exterior doors have aluminum drip cap integrated with the housewrap in shingle fashion. Four (4) inch butyl flashing tape installed at header and jambs to create drainage plane with housewrap. Molded pre-formed sill pans installed at thresholds.
15. Windows installed with integral j-channel and four (4) inch butyl flashing tape installed at header and jambs to create drainage plane with housewrap. Sill flashings with black dam installed to prevent rotting of framing materials around window openings.
16. Gable End Framing – Minimum 2X4 L brace strongback installed to insure a straight lined truss preventing bowed or distorted siding. Gable ends are pre-

- sheathed at the truss plant to insure the truss remains straight during installation.
17. Exterior bearing walls – stud spacing is sixteen (16) inches on center with double 2X top plate.
  18. Roof trusses – top and bottom chords are minimum 2X4 SPF #2. Truss webs are minimum 2X4 SPF #3.
  19. Insulation behind tubs, showers, and fireplaces are protected by thermo-ply sheathing to insure insulation remains in place.
  20. Alternatives to the above home construct standards may be approved by the Plan Commission at the time of Primary Plat approval if an alternative is requested by the Controlling Developer.

...Jason Lawson,  
the Utility Director  
to verify the current  
section standards.

## Exhibit F

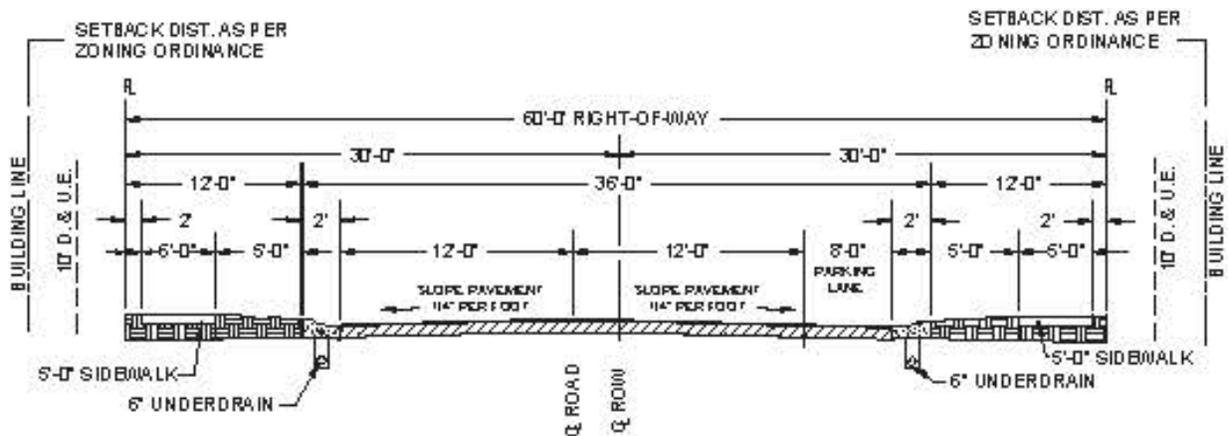
### Street Type and Cross Section Standards



NOTE:  
TWO 14'-0" MOVING LANES WITH NO PARKING LANE AS SHOWN ABOVE.  
ALTERNATIVE, TWO 12'-0" MOVING LANES WITH ONE 8'-0" PARKING LANE.

### LOCAL SERVICE STREET OR CUL-DE-SAC STREET CLASSES 1, 2 AND 4

NOT TO SCALE



NOTE: TWO 12'-0" MOVING LANES AND ONE 8'-0" PARKING LANE AS SHOWN ABOVE.

### COLLECTOR STREET STREET CLASSES 3 AND 5

NOT TO SCALE



**Exhibit G**

**The Golf Club of Indiana Planned Unit Development District (11-22-1999)**

*Included under separate cover*