

**AN ORDINANCE ESTABLISHING THE HICKORY RIDGE RESIDENTIAL COMMUNITY
PLANNED UNIT DEVELOPMENT DISTRICT AND DEVELOPMENT STANDARDS WITHIN
THE TOWN OF LOWELL, LAKE COUNTY, INDIANA**

WHEREAS, the Hickory Ridge Residential Community Planned Unit Development District Ordinance is a supplement to the Town of Lowell Zoning Ordinance codified at Chapter 155: Land Use and Development Code; Subdivision Control Code; of the Lowell Code of Ordinances; and

WHEREAS, S & W HOLDING, the owner, and Schilling Development, the developer of the Hickory Ridge Residential Community Planned Unit Development now seeks approval for the PUD ordinance to identify and define areas within the PUD, as well as to establish additional development provisions therein; and

WHEREAS, the Town of Lowell has conducted a public hearing after due notice as required by law on the proposed planned unit development ordinance and after due deliberation has concluded that approval of the planned unit development ordinance is appropriate.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOWELL, AS FOLLOWS:

§ 155.042.4 of Chapter 155: *Land Use and Development Code; Subdivision Control Code* of the Lowell, Indiana Code of Ordinances is hereby created and shall read as follows:

§155.042.4. Hickory Ridge Residential Community Planned Unit Development District

(A) Intended Purpose.

The Hickory Ridge Residential Community Planned Unit Development District ("Hickory Ridge") is intended to be designed as a diverse residential community defined by the careful planning of connectivity, the creation of a unique and identifiable community, and meeting of the residential market needs of the Town of Lowell. Hickory Ridge will provide three (3) types of residential homes, specifically, Traditional single-family homes, maintenance-free single-family homes, and paired villas. Hickory Ridge will be interconnected with neighboring developments (Beverly Estates & Stone Mill) using streets and sidewalks and providing pedestrian access to the adjacent school via a sidewalk, creating a unique community in the Town of Lowell. Hickory Ridge is subject to the Hickory Ridge Homeowners Association and the recorded Hickory Ridge Declaration of Easements, Covenants, Conditions, and Restrictions.

(B) Location and Legal Description.

The Hickory Ridge is an 88-acre property situated generally at the intersection of Belshaw Road and Clark Road, in the Town of Lowell, Lake County, Indiana. The property is identified by Parcel Number 45-19-25-426-001.000-008 and legally described as follows:

THOSE PARTS OF THE SOUTHEAST QUARTER OF SECTION 25 AND
NORTHEAST QUARTER OF SECTION 36, ALL IN TOWNSHIP 33 NORTH,
RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS
FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE EAST

HALF OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 42 MINUTES 37 SECONDS EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 2002.39 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 0 DEGREES 42 MINUTES 11 SECONDS EAST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, 268.20 FEET TO THE NORTHEAST CORNER OF THE SOUTH 302.95 FEET OF THE EAST 269.57 FEET OF THE NORTH 571.11 FEET OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 42 MINUTES 37 SECONDS WEST, ALONG THE NORTH LINE OF SAID SOUTH 302.95 FEET, 269.61 FEET TO THE WEST LINE OF SAID EAST 269.57 FEET; THENCE SOUTH 0 DEGREES 42 MINUTES 11 SECONDS EAST, ALONG SAID WEST LINE, 303.00 FEET TO THE SOUTH LINE OF SAID NORTH 571.11 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 37 SECONDS EAST, ALONG SAID SOUTH LINE, 269.61 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 0 DEGREES 42 MINUTES 11 SECONDS EAST, ALONG SAID EAST LINE, 592.59 FEET TO A PK NAIL; THENCE NORTH 89 DEGREES 16 MINUTES 12 SECONDS WEST 1138.22 FEET TO AN IRON ROD; THENCE SOUTH 0 DEGREES 42 MINUTES 11 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 1379.40 TO A MAG NAIL ON THE CENTER LINE OF BELSHAW ROAD; THENCE SOUTH 63 DEGREES 02 MINUTES 10 SECONDS WEST, ALONG SAID CENTER LINE, 819.51 FEET TO THE WEST LINE OF THE EAST 33 RODS OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER OF SECTION 36; THENCE NORTH 0 DEGREES 58 MINUTES 56 SECONDS WEST, ALONG SAID WEST LINE, 255.40 FEET TO THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 25; THENCE NORTH 0 DEGREES 48 MINUTES 56 SECONDS WEST, ALONG THE WEST LINE OF THE EAST 33 RODS OF THE SOUTHWEST QUARTER OF SAID SOUTHEAST QUARTER, 1327.25 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 39 MINUTES 46 SECONDS WEST, ALONG SAID SOUTH LINE, 121.56 FEET TO THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 0 DEGREES 52 MINUTES 18 SECONDS WEST, ALONG SAID WEST LINE, 1327.17 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, INDIANA.

ALSO,

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 33 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE TOWN OF LOWELL, LAKE COUNTY, INDIANA, SAID PARCEL BEING PART OF LOT 1 IN 5460 BELSHAW ADDITION AS SHOWN IN PLAT BOOK 109, PAGE 02 RECORDED AS DOCUMENT NUMBER 2016-025070 ON APRIL 26, 2016 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID PARCEL DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH 00 DEGREES 30 MINUTES 04 SECONDS EAST, 837.96 FEET ALONG THE EAST LINE OF SAID LOT 1 TO THE NORTH LINE OF A 82.5 FOOT WIDE EASEMENT GRANTED TO NORTHERN INDIANA PUBLIC SERVICE COMPANY IN DOCUMENT NUMBER 678549, BOOK 951, PAGE 609 ON AUGUST 20, 1966 IN SAID RECORDER'S OFFICE; THENCE NORTH 88 DEGREES 54 MINUTES 37 SECONDS WEST, 590.61 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 00 DEGREES 30 MINUTES 04 SECONDS WEST, 834.74 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 89

DEGREES 13 MINUTES 21 SECONDS EAST, 590.53 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING, CONTAINING 11.34 ACRES MORE OR LESS.

(Hereinafter referred to as the "Property.")

(C) *District Map and District Areas.*

- (1) The *Hickory Ridge Final PUD Plan 2025* is on file with the Town of Lowell Building Department and is recorded with the Office of the Recorder of Lake County, Indiana, with the *Proposed Lot Usage (dated 11-25)* and *Phasing Map (dated 11-25)*, attached as Exhibits A and B, respectively. The *Phasing Map* (Exhibit B) identifies the platted lots on the Property to be developed in each of the ten (10) phases of Hickory Ridge as "Phase I", "Phase II", etc. through "Phase X".
- (2) For purposes of this zoning ordinance, the platted lots are further classified into one of four zoning district areas (A, B, C, and D) within Hickory Ridge and the lots, and buildings and structures on the lots, shall be developed, constructed, and used in a manner that is compliant with the bulk and development standards and permitted uses set forth in this zoning ordinance for the applicable Area. Specifically, Areas A, B, C, and D, are as follows:
 - (a) **"Area A."** A total of 95 lots in Phases I(a), II, IV, and VI of Hickory Ridge for construction of Traditional Single Family homes on minimum 80 ft. wide lots:
 - Lots 1-24 in Phase II (24 lots);
 - Lots 25-55 in Phase VI (31 lots);
 - Lots 99-106 in Phase I(a) (8 lots); and
 - Lots 107-138 in Phase IV (32 lots).
 - (b) **"Area B."** A total of 43 lots in Phases VII, VIII, and IX of Hickory Ridge for construction of Paired Villas (86 total units) on minimum 90 ft. wide lots:
 - Lots 56-69 in Phase VII (14 lots, 28 units);
 - Lots 70-83 in Phase VIII (14 lots, 28 units); and
 - Lots 84-98 in Phase IX (15 lots, 30 units).
 - (c) **"Area C."** A total of 68 lots in Phases 1(b), III, and V of Hickory Ridge for construction of Maintenance Free Single-Family homes on minimum 70 ft. wide lots:
 - Lots 139-159 in Phase V (21 lots);
 - Lots 160-183 in Phase I(b) (24 lots); and
 - Lots 184-206 in Phase III (23 lots).
 - (d) **"Area D."** A total of 9 lots in Phase X of Hickory Ridge for open space use, sidewalk connection to school, and stormwater basins:
 - Outlots A, B, C, D, E, F, G, H, and I in Phase X (9 lots).

(D) *Supplemental Zoning Provisions.*

The zoning provisions established herein constitute the Plan of PUD for the Hickory Ridge District Ordinance and govern the development as a whole and the final development plan approval process. Any zoning or development standard not specified herein shall be governed by the applicable provisions otherwise specified in the Town of Lowell Code of Ordinances and the Standard Specifications for the Construction of Public Facilities in the Town of Lowell, as both may be amended from time to time, as follows:

- (1) Area A. Lots 1-55 & 99-138 (Traditional Single-Family homes) - R2 zoning district standards shall apply.
- (2) Area B. Lots 56-98 (Paired Villas) – R3 zoning district standards shall apply.
- (3) Area C. Lots 139-206 (Maintenance Free Single Family homes) – R-3 zoning district standards shall apply.
- (4) Area D. Outlots A-I - R-2 zoning district standards shall apply.
- (5) All other areas of Hickory Ridge not designated herein - R-2 zoning district standards shall apply.

(E) *Definitions.*

The definitions in this subsection shall apply to the interpretation of the provisions of this Hickory Ridge Planned Unit Development District Ordinance and the Town of Lowell Code of Ordinances as applied to property owners and lots within Hickory Ridge, even when the definition herein affects the applicability of the Town of Lowell Code of Ordinances as generally applied.

- (1) *Accessory structure.* A structure which is subordinate to the primary residential structure in area, intent, and purpose; is located on the same lot as the residential structure; is principally above ground and has a roof and at least two (2) walls. The term *accessory structure* shall include detached garages, carports, pool houses, gazebos, sheds, mini-barns, prefabricated buildings, dumpsters, storage units, shipping containers, and other like structures. The term *accessory structure* shall not include pools, swing sets, mailboxes, lamp posts, dog houses, tree houses, antennas, satellite dishes, radio towers, flag poles, signs, patios, decks, platforms, fences, and other such incidentals, except as otherwise stated in this section.
- (2) *Corner lot.* A lot that is abutting the intersection of two roadways and is bounded on two sides by said roadways. A corner lot has a single front yard abutting the roadway, an interior side yard, an exterior side yard adjacent to the roadway, and a single backyard.
- (3) *Front yard.* The area directly in front of the primary residential structure, between the front of the residential structure and the roadway it faces. A lot in Hickory Ridge has only one (1) front yard, regardless of whether the primary residential structure is located on an interior lot or a corner lot.
- (4) *Interior lot.* A lot that is bounded by a Hickory Ridge dedicated roadway on the front side, only. An interior lot has a single front yard abutting a Hickory Ridge dedicated roadway, two (2) interior side yards, and a single backyard. A lot in Hickory Ridge is an *interior lot* even if the back yard abuts a non-Hickory Ridge dedicated roadway.

(F) *Uses.*

(1) *Permitted Uses.*

(a) Area A: Lots 1-55 & 99-138 (Traditional Single Family homes)

- (i) Single-family dwelling
- (ii) Child day-care home
- (iii) Home occupation Type 1 (in accordance with §155.84) - The owner of property is permitted to conduct business out of the home; however, employees, customers, clients, business visitors, or the like, shall be limited as outlined in the Covenants and By-laws of the Hickory Ridge Homeowner's Association.

(b) Area B: Lots 56-98 (Paired Villas)

- (i) Single-family dwelling
- (ii) Child day-care home
- (iii) Home occupation Type 1 (in accordance with §155.84) - The owner of property is permitted to conduct business out of the home; however, employees, customers, clients, business visitors, or the like, shall be limited as outlined in the Covenants and By-laws of the Hickory Ridge Homeowner's Association.

(c) Area C: Lots 139-206 (Maintenance Free Single-Family homes)

- (i) Single-family dwelling
- (ii) Child day-care home
- (iii) Home occupation Type 1 (in accordance with §155.84) - The owner of property is permitted to conduct business out of the home; however, employees, customers, clients, business visitors, or the like, shall be limited as outlined in the Covenants and By-laws of the Hickory Ridge Homeowner's Association.

(d) Area D: Outlots A-I

- (i) Open space
- (ii) 5' concrete sidewalk
- (iii) Stormwater detention basins, and all appurtenances related thereto.

(G) *Developmental Standards and Provisions.*

(1) *District Standards.*

(a) Lot Disposition.

	Area A:	Area B:	Area C:	Area D:
Lot Disposition	Traditional SFH- Lots 1-55 & 99-138	Paired Villas- Lots 56-98	Maint. Free SFH- Lots 139-206	Outlots A-I
Lot Area (min)	10,000 s.f.	12,000 s.f.	9,000 s.f.	N/A
Lot Width* (min)	80'	90'	70'	N/A
Lot Coverage** (max)	45%	45%	45%	N/A
Lot Frontage (min)	56'	63'	49'	N/A

(b) Building Disposition - Primary Structure.

	Area A:	Area B:	Area C:	Area D:
Primary Structure	Traditional SFH Lots 1-55 & 99-138	Paired Villa Lots 56-98	Maint. Free SFH- Lots 139-206	Outlots A-I
Front Setback (min)	25'	25'	25'	N/A
Side Setback - Interior (min)	8' each side	8' each side	8' each side	N/A
Side Setback - Corner (min)	20'	20'	20'	N/A
Rear Setback (min)	25'	25'	25'	N/A
Living Area (min), excluding garage	1400	1200	1200	N/A
Ground Floor Area (min)	700	1200	1200	N/A
Number of Primary Structures (max)	1	1	1	N/A
Primary Structure Height (max)	35'	35'	35'	N/A
Garages	Only attached garages are permitted. Detached garages are prohibited.			N/A

* Measured along the front building setback line.

** Impervious surface calculation shall include the total lot coverage for the primary structure and garage, all accessory structures, in-ground pools, decks, patios, platforms, driveways and all other flatwork, and other like surface.

(c) Building Disposition – Accessory Structures.

Accessory Structures	Area A: Traditional SFH- Lots 1-55 & 99-138	Area B: Paired Villas- Lots 56-98	Area C: Maint. Free SFH- Lots 139-206	Area D: <u>Outlots A-I</u>
Front setback	(1) Shall be located 10' min. behind and to the rear of the primary structure; (2) Shall not be located in any easement.	Accessory structures are prohibited.	Accessory structures are prohibited.	N/A
Side setback – all lots	(1) 5' min. side setback on each side; (2) Shall be located 10' min. behind and to the rear of the primary structure; (3) Shall not be located in any easement.			N/A
Rear setback	(1) 5' rear setback; (2) Shall not be located in any easement; (3) Placement in rear quarter of lot not required.			N/A
Ground floor area (min.)	120 s.f.			N/A
# of accessory structures	1			N/A
Primary structure height (max.)	16'			N/A

(2) *Buffer Yard Standards.* No buffer yards are required.

(3) *Environmental Standards.* The Environmental Standards in §155.078, as amended from time to time, shall apply.

(4) *Parking Standards.*

(a) All Areas:

- (i) Two (2) off-street parking spaces a minimum of 8.5' wide x 20' long, each, are required on every residential lot, excluding the garage;
- (ii) All parking surfaces shall be concrete material;
- (iii) Except as set forth above, the Parking Standards in §155.080, as

amended from time to time, shall apply.

(5) *Entrance/Drive Standards.*

(a) All Areas.

- (i) 2 Car Entrance drives shall be a min. width of 17' and a max. width of 36' at the right-of-way;
- (ii) 3 Car Entrance drives shall be a min. width of 17' and a max. width of 36' at the right-of-way.
- (iii) All driving surfaces on residential lots shall be concrete at a thickness of four (4) inches PCC (Portland Cement Concrete) over four (4) inches aggregate subbase;
- (iv) All aprons (residential and non-residential) shall be concrete at a thickness of six (6) inches PCC (Portland Cement Concrete) over six (6) inches aggregate subbase;
- (v) Asphalt driveways and aprons are prohibited;
- (vi) Except as set forth above, the Entrance Drive Standards in §155.082, as amended from time to time, shall apply.

(6) *Sight Visibility Standards.*

- (a) Areas A, B, and C: Property owners shall be responsible for replacement, pruning and other maintenance of parkway trees on their lot, including but not limited to, maintaining a 3 ft. x 8 ft. clear distance height requirement.
- (b) Area D: The Homeowner's Association shall be responsible for replacement, pruning and other maintenance of parkway trees on their lots, including but not limited to, maintaining a 3-ft. x 8-ft. clear distance height requirement;
- (c) All Areas:
 - (i) Refer to the Hickory Ridge Plan, dated 11/13/2025, as the controlling document for any clarifications on special circumstances not listed herein;
 - (ii) Except as set forth the above, the Sight Visibility Standards in §155.083, as amended from time to time, shall apply.

(7) *Temporary Structures.* The Temporary Structures Standards set forth in §155.089, as amended from time to time, shall apply.

(8) *Flatwork Standard.*

(a) Areas A, B, and C:

- (i) The location of flatwork on a residential lot may abut the property line;
- (ii) No flatwork shall be located in any easement.

(b) Area D:

- (i) The location of flatwork on Outlots may abut the property line;
- (ii) Flatwork may be located in an easement unless the specific easement provisions, or state or federal law prohibit such placement;
- (iii) Election to place flatwork in an easement shall be a waiver of liability if the Town or a party having a beneficial interest in the easement must remove the flatwork to access the easement;
- (iv) The Town or the party having a beneficial interest in the easement may require the flatwork to be removed upon three (3) days written notice to the property owner, or as provided in the easement or other governing document, whichever is earlier;
- (v) In the event of an emergency, the Town or the party having a beneficial interest in the easement may remove the flatwork without notice;
- (vi) In the event the flatwork is not removed, the Town or the party having a beneficial interest in the easement may remove the flatwork and cause the materials to be stacked upon the property;
- (vii) Flatwork placed in or near a drainage easement must not impede the flow of storm water. In the event the flow of storm water is impeded, the Town shall have the rights set forth above to mitigate or alleviate such condition.

(9) *Fence and Wall Standards.*

(a) All Areas:

- (i) All fences shall be approved in writing by the Architectural Review Committee in terms of style, size, color and location;
- (ii) Chain-link fences shall be prohibited;
- (iii) Fences may be located in an easement unless the specific easement provisions, or state or federal law prohibit such placement;
- (iv) Election to place a fence in an easement shall be a waiver of liability if the Town or a party having a beneficial interest in the easement must remove the fence to access the easement.
 - (1) The Town or the party having a beneficial interest in the easement may require the fence or wall to be removed upon three (3) days written notice to the property-owner, or as provided in the easement or other governing document, whichever is earlier;

- (2) In the event of an emergency, the Town or the party having a beneficial interest in the easement may remove the structure without notice;
- (3) In the event the structure is not removed, the Town or the party having a beneficial interest in the easement may remove the fence or wall and cause the materials to be stacked upon the property;
- (4) Fence or walls placed near a drainage easement must not impede the flow of storm water. In the event the flow of storm water is impeded, the Town shall have the rights set forth above to mitigate or alleviate such condition;
- (v) Except as set forth in this subsection, the Fence and Wall Standards in §155.090, as amended from time to time, shall apply.

(b) Area B: Fences and walls shall be prohibited except for the following:

- (i) Retaining walls required for proper grading/drainage of a lot;
- (ii) A 6' high by 10' long privacy fence may be constructed perpendicular to a common wall for privacy between attached units in the rear yard only.

(c) Area C: Fences and walls shall be prohibited, other than retaining walls required for proper grading/drainage of a lot.

(d) Areas A and D:

- (i) Fences shall not exceed six (6) ft. in height beginning from the rear of the house or garage and extending to the rear lot line;
- (ii) Fences on corner lots and interior lots may be erected on the property line, however, if the property line abuts a right-of-way then the fence shall be set back 20' from the lot line.

(10) *Pool Standards.*

(a) Areas B, C, and D: Pools shall be prohibited.

(b) Area A:

- (i) Above ground and in-ground pools shall be permitted;
- (ii) Pools must be installed in the rear yard only behind the primary structure;
- (iii) 5 ft. min. side setback on each side;
- (iv) 5 ft. min. rear setback;
- (v) Pools shall not be located in any easement;

(11) *Landscaping Standards.*

(a) Areas A, B, and C:

- (i) Every interior lot owner shall plant and maintain one (1) tree in the parkway, and a minimum of seven (7) shrubs and one (1) shade tree in the non-parkway area of the lot;
- (ii) Every corner lot owner shall plant and maintain two (2) trees in the parkway, and a minimum of seven (7) shrubs and one (1) shade tree in the non-parkway area of the lot;

(b) Area D: All Outlots will be landscaped, maintained and owned by the Hickory Ridge homeowner's association.

(c) All Areas: Except as is set forth above, or as provided in the Hickory Ridge Landscape Plan, dated 11/13/2025, the Landscaping Standards in §155.091, as amended from time to time, shall apply.

(12) *Outdoor Lighting Standards.* The Outdoor Lighting Standards set forth in §155.093, as amended from time to time, shall apply.

(13) *Streetscape Standards.* The Streetscape Standards set forth in §155.094, as amended from time to time, shall apply.

(14) *Wind Energy Conversion System Standards.* The Wind Energy Conversion System Standards set forth in §155.095, as amended from time to time, shall apply.

(15) *Sign Standards.*

(a) Area D, at the Belshaw and Clark entrances:

- (i) A permanent entrance monument sign is permitted in the Outlot located at each of the entrances, subject to approval by the Town of Lowell.
- (ii) Each entrance monument sign face shall not to exceed 200 sq. ft. and a total sign height of eight (8) feet.
- (iii) The locations of the entrance monument signs are as follows:
 - (1) Center median (Island), at Clark Road Entrance.
 - (2) Center median (Island), at Belshaw Road Entrance.
- (iv) The entrance monument signs shall follow the Details and Specifications as set forth in the approved Final Landscape Plan for Hickory Ridge, dated 11/13/2025, as approved by The Town of Lowell.

(b) All Areas:

- (i) The total maximum temporary signage for a designated builder

(combined total) shall be:

- (1) Five (5) marketing signs measuring eighty (80) square feet each, shall be permitted at any one time within Hickory Ridge;
- (2) Five (5) on-premises Model signs, not to exceed fifty (50) square feet shall be permitted; no marketing signs in rights-of-way.
- (3) Up to five (5) marketing flag poles per model, each 30' in height, with flags not to exceed 20 square feet each, shall be allowed within Hickory Ridge at any one time.
- (4) Feather flags shall be prohibited.

(ii) Except as set forth above, the Sign Standards in §§155.100-155.104, as amended from time to time, shall apply.

(16) *Garbage Cans.*

(a) All areas.

- (i) Garbage cans are permitted in the parkway or on the side of the roadway 24 hours before and 24 hours after the scheduled garbage pick-up day;
- (ii) At all other times, garbage cans are prohibited from being in the public view. Garbage cans shall be stored inside a Town-approved structure or shall be located behind the front building setback line and screened on at least two (2) sides so to not be seen from the public right-of-way.

(17) *Outdoor Holiday Lights and Decor.* All outdoor holiday lights and decor, including light clips, may be put up 30 days before each holiday and shall be removed or turned off within 30 days after each holiday.

(18) *Animals.* The keeping and maintaining of animals shall comply with Chapter 92 of the Lowell Code of Ordinances, as amended from time to time.

(19) *Public Facilities.* The Standard Specifications for the Construction of Public Facilities in the Town of Lowell shall apply to Hickory Ridge except for the following modified provisions:

- (a) *Detention Basin Design requirements.* All detention basins shall be separated from any road right-of-way by at least 25', except for Outlot A in Area A which shall be separated by a minimum of 15.'
- (b) *Roadway Pavement Construction.* The roadway pavement construction shall be HMA at a thickness of one and one half (1.5) inches HMA Surface, Type B or C, over two and one half (2.5) inches HMA Intermediate Type B or C, over a minimum ten (10) inches crushed coarse aggregate subbase, No. 53, over geogrid (Tensar TX7) or soil stabilization as recommended by Geotechnical Engineer, over geotextile fabric, non-woven (Mirafi 160N);

- (c) All Public Facilities shall comply with the Final Engineering Plans for Hickory Ridge Subdivision prepared by DVG Team, subject to current revisions. If there is any conflict between the Final Engineering Plans for Hickory Ridge Subdivision and the Standard Specifications for the Construction of Public Facilities in the Town of Lowell, the Standard Specifications for the Construction of Public Facilities in the Town of Lowell shall control.
- (20) *Building Permits and Improvement Location Permits.* Written approval from the developer's Architectural Review Committee or the HOA for the requested permit shall be submitted to the Town simultaneously with the filing of a permit application. No permit application will be accepted for filing by the Building Department without the applicable developer or HOA's written approval.
- (21) *Variances from Development Standards or Uses.* Written approval from the developer or the HOA for a variance from the Hickory Ridge Planned Unit Development District Ordinance, or any other provision of the Town of Lowell Code of Ordinances, shall be submitted to the Town simultaneously with the filing of the variance application. No variance application will be accepted for filing with the Building Department without the applicable developer or HOA's approval.
- (22) *Notice of Public Hearing.*
 - (a) An applicant filing a petition with the Town that requires a public hearing regarding any property within Hickory Ridge shall give Notice to the developer and/or HOA, as required by law.
 - (b) Notice shall be given to the developer and/or HOA, regardless of the distance from the subject-property in Hickory Ridge to the property line of the developer and/or HOA owned property.
 - (c) Failure of the applicant to provide proper notice to the developer and/or HOA shall void any decision of the Planning Commission, Board of Zoning Appeals, Town Council, or other applicable municipal body.
- (23) *Amendments.* Any proposed amendment to the Hickory Ridge Planned Unit Development District Ordinance shall follow the same process and procedure as required by State law and the Town of Lowell Code of Ordinances to amend a zoning ordinance.

Effective Date. This Ordinance shall be in full force and effect from and after its passage and execution by the President.

DULY ORDAINED AND ENACTED by the Town Council of the Town of Lowell, Lake County, Indiana, on this ____ day of _____ 2025.

TOWN COUNCIL OF THE TOWN OF LOWELL,
LAKE COUNTY, INDIANA

Todd Angerman, President

Michael Gruska, Vice President

Phillip Kuiper, Member

Shane Tucker, Member

John Alessia, Member

ATTEST:

Jill Murr, Clerk-Treasurer