

ORDINANCE NO. 30, 2001

AN ORDINANCE ESTABLISHING OFFICE/PROFESSIONAL PARK ZONE
ORDINANCE FOR THE CITY OF VALPARAISO

WHEREAS, a petition was presented by the City of Valparaiso for a
Office/Professional Zone Ordinance; and

WHEREAS, THE Plan Commission duly advertised and held a public hearing on the
proposed Ordinance; and

WHEREAS, the general public was given an opportunity to comment on the proposed
Ordinance; and

WHEREAS, THE Plan Commission voted to recommend approval of the
Office/Professional Park Zone Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of
Valparaiso as follows:

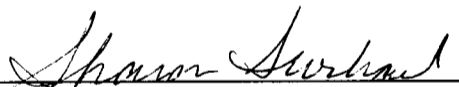
SEE ATTACHED ZONING ORDINANCE
PART IV ARTICLE XXXII

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 7-0 vote of all
members present and voting this 26th day of Nov., 2001.



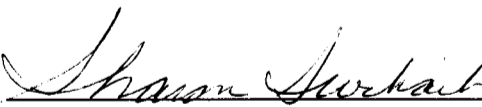
David A. Butterfield, Mayor

ATTEST:



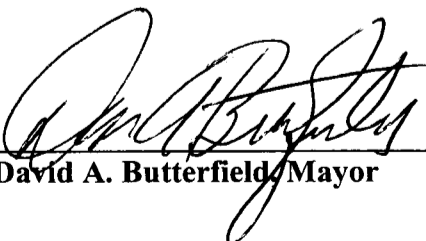
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 26th day of
Nov., 2001, at 7:13 o'clock p.m.



Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 26th day of
Nov., 2001, at 7:13 o'clock p.m.



David A. Butterfield, Mayor

PART IV

ARTICLE XXXII

OP – OFFICE/PROFESSIONAL PARK ZONE ORDINANCE

Section 3200: PURPOSE: The purpose of this ordinance is to provide a zoning classification with uses and development standards for an office and/or professional park development. The major areas for this zoning could include land near the intersection of State 130 and 149, and along the State 49 bypass.

The regulations adopted in this ordinance are to safeguard the public health, safety, and general welfare of the community by developing standards that preserve open space and prime natural areas while encouraging the development of business and employment for the community. This ordinance also contains aesthetic standards for areas under development with this zoning.

This ordinance seeks to protect through regulating the lighting, signage, landscaping, open space preservation, screening, setbacks, and other development standards.

Section 3201: DEFINITIONS: The following definitions apply throughout this ordinance.

Applicant – any person or entity applying for subdivision plat, Planned Unit Development approval, rezoning approval, Special Exception, variance to use or developmental standards, and/or building permit.

Building, height of: the vertical distance measured from the lot ground level to the highest point of the roof for a flat roof, the deck line of a mansard roof, and to the mean height between eaves and ridges for gable, hip and gambrel roofs.

Building line/building setback line: the line that establishes the minimum permitted distance on a lot between the front line of a building and the front line of a lot.

Effective Date of Ordinance - _____ -

Front yard: that side of a lot, including any corner lot, between the building and the right-of-way of a public or private street.

IDEM – Indiana Department of Environmental Management

Landscaping – plants, groundcover, grass, shrubs, trees, and aqueous surfaces

Office/Professional Park – an OP zoned area that can be subdivided and used as stated in the following sections of this ordinance.

Section 3210: DESIGNATION OF OFFICE/PROFESSIONAL PARK – a properly designated as Office/Professional Park is hereafter designated as an OP zone. An OP, when designated by

the City Council is considered a legal zoning, and shall effect the uses or developmental standards applicable to any land located within an OP. All new OP zoning requests will have to be filed with the Valparaiso Plan Commission for approval.

Section 3212: PROCESS TO DEVELOP AN OP-ZONED AREA – To zone a parcel of land OP, the property owner or representative, or the City shall file a petition and a proposed Development Plan (see Section 3520) with the Plan Commission. In addition to Section 3520, the OP Development Plan must include exterior façade materials. The petition and Development Plan will be placed on a Plan Commission agenda for a recommendation to the City Council. The City Council has the final vote on rezoning a parcel of land to OP.

Section 3220: USES ALLOWED IN AN OP ZONE – Allowable uses in OP zones include:

- 1) Offices and/or Professional offices for any technical, medical, service, financial, governmental, or educational uses.
- 2) Support services that are included as part of the office complex.
- 3) Conference centers
- 4) Research centers
- 5) Educational institutions; public or private
- 6) Light industrial uses that require assemblage only, and do not require any type of manufacturing.
- 7) Cultural centers such as museums, concert hall, art galleries (non-retail), etc.
- 8) OP Planned Unit Development that allows for a mix of uses

Section 3230: USES ALLOWED IN AN OP ZONING DISTRICT AS SPECIAL EXCEPTIONS.

Uses that are similar to an allowable use or a mix of uses that includes no more than 20% of other uses.

Section 3240: DEVELOPMENT STANDARDS FOR AN OP ZONING AREA:

1. Minimum Office Park shall not be less than 15 acres.
2. Minimum lot size: two acres
Minimum lot width: 160 feet
Setbacks: Front setback: 90 feet
Side setbacks: total 30 feet; minimum of 15 ft. (if abuts a residential use, seven feet of buffer is required)
Rear setback: 30 feet (if abuts a residential use, seven feet of buffer is required)
3. Maximum height of building; 50 feet (could be less if determined by FAA regulations)
4. Minimum open space: 40% of lot (can only cover 60% of lot)
5. No parking is allowed in the front setback. Minimum setback of all parking is 10 ft. from property line, and a minimum of 15 ft. from any principal building. Maximum parking: 1 space per 200 feet of useable interior space for all offices. Maximum parking for all other uses to be determined in the Development Plan.

6. Landscaping will be required as follows:
 - a. 40% of all front setback areas will be landscaped, and
 - b. Parking areas will include a minimum of 15% landscaped, and
 - c. A total of 40% of each lot will be preserved as open space that, at a minimum, is seeded with grass or sod. A minimum of five (new and/or existing) trees will be included in the total open space requirement.
 - d. Five trees per 100 foot of frontage
 - e. A 15 ft. area adjacent to all sides of a building shall be landscaped except for necessary access points.
7. All site mechanicals and dumpsters/waste receptacles shall be fully screened. All rooftop mechanicals shall have full height screen on all four sides. Dumpsters/waste receptacles and other mechanicals shall be fully screened with evergreen plant materials.
8. Lighting shall include low cut off lighting fixtures, whether in a canopy or on a pole, that provide safe and efficient lighting without glare for the passerby or motorist. The light distribution shall focus on the property and not adjacent parcels or roadways. These are standard fixtures, which can be used in lieu of exposed lamp and lens fixtures, which will significantly change the image of the development
9. Signage allowed includes concrete-based monument-type signs not to exceed six (6) feet in height. Size and scale of building will determine width. Sign materials need to be brick or concrete and compatible with exterior building materials. Signs on exterior walls of any building cannot exceed 5% of that wall. Internally lit signs are not allowed.
10. Exterior facades must be of brick, or EIFS, or architectural-pre-cast concrete, or curtain wall glass. A maximum of two facade materials may be used per building. Use and layout of material shall be continuous on all facades of the building.
11. Multiple buildings are permitted on one lot, however the space between principal buildings shall be 40 feet, provided that for each 3 feet on height over 45 feet, this space shall be increase one foot. Spacing between principal buildings and accessory buildings shall be 30 feet, provided that for each foot the accessory building exceed 25 in height, this space shall be increased one foot. Space between accessory buildings shall be a minimum of 20 feet.

Section 3250: VIOLATIONS – When written notice of violation of any of the provisions of this chapter has been served on the property, owner, agent, occupant, contractor, or builder, such violation shall be discontinued. Unless the Building Commissioner specifies a particular time by which the violation must be removed, it shall be assumed that each day the violation continues constitutes a separate violation.

In addition to any and all other remedies set forth in this Ordinance for a violation thereof, the Building Commissioner may, for any violation of this Ordinance, levy a fine against the violator of up to \$50.00. The Building Commissioner shall notify the violator(s) in writing of such fine. The Building Commissioner may, in the event that the violator maintains a bond or deposit with the City for such violations, charge the fine against such bond or deposit, and notify the violator of his intent to take such action. If the violator does not protest the notice of violation, in writing, within thirty (30) days, the City may charge the fine against the bond or deposit without

further notice. If no bond or deposit is on file, the violator shall pay the levied fine through the Local Ordinance Violations Bureau. The Building Commissioner may levy a fine for each day the violation is continued.

Section 3260: APPEAL PROCESS – a person charged with a violation of this ordinance may appeal the decision pursuant to the procedures found in the Violations Bureau Ordinance.

Section 3265: CONFLICTING ORDINANCES – any ordinance or provision of any ordinance of the City of Valparaiso in conflict with the provisions of this ordinance is hereby superseded by this ordinance.

Section 3270: SEVERABILITY – the invalidity of any section clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

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