

AN ORDINANCE PROPOSING A MORATORIUM OF CONSTRUCTION OF NEW RESIDENTIAL USES IN AREAS ZONED FOR COMMERCIAL OR MANUFACTURING PURPOSES

WHEREAS the Zoning Ordinance of the City of Valparaiso utilizes, with some exceptions, the concept of "pyramid" or "cumulative" zoning, *i.e.* a system in which less intense uses are permitted in areas zoned for more intensive uses; and

WHEREAS the City, through its Planning Department, is undertaking to do a study of whether or not such concept should be abolished; and

WHEREAS such study is expected to take significant time before a comprehensive redraft of the ordinance can be presented; and

WHEREAS there is general agreement that there should be no further construction of new residential uses in areas zoned for commercial or manufacturing purposes:

BE IT RESOLVED that upon passage hereof, notwithstanding any other ordinance, no person shall be permitted, including by way of special exception, to construct any building or buildings for residential purposes in areas zoned for commercial or manufacturing purposes, except that (a) such shall not be understood to prohibit the approval of a PUD which contains a mixture of residential uses with commercial or industrial uses, and (b) such shall not disallow otherwise permissible residential uses in the C-4 district.

This ordinance shall, unless repealed earlier, cease effect on December 31, 2006 unless there is an affirmative vote of the Common Council to extend it.

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 7-0 vote of all members present and voting this 28th day of Feb, 2005.



Jon Costas, Mayor

ATTEST:



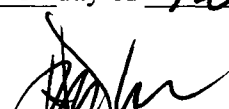
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 28th day of Feb, 2005, at 7:55 o'clock P.m.



Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 28th day of Feb 2005, at 7:55 clock P.m.



Jon Costas, Mayor