ORDINANCE NO. 16-2010

AN ORDINANCE AMENDING VARIOUS ARTICLES OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF VALPARAISO

WHEREAS, a petition was presented to amend various articles of the Unified Development Ordinance (UDO); and

WHEREAS, the Plan Commission duly advertised and held a public hearing on the proposed hearing according to IC 5-3-1 and;

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

WHEREAS, the Plan Commission voted to recommend the approval of proposed amendments by a 8-0 vote on March 9, 2010.

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

1. That the Unified Development Ordinance shall be amended as follows:
SEE ATTACHED EXHIBIT A

This ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

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 April, 2010.

Jon Costas, Mayor

ATTEST:
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 26th day of April, 2010, at 7:50 o'clock p.m.

Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 26th day of April, 2010, at 7:50 o'clock p.m.

Jon Costas, Mayor

Proposed Unified Development Ordinance Amendments

March 2010

Amend Section 3.301, Table 3.301A to permit smaller minimum area for parcels for planned development option in order to encourage and facilitate development of infill sites .

Article 3 District Intensity and Bulk Standards

Division 3.300 Standards Applicable to Parcels Proposed for Development

Sec. 3.301 Standards Applicable to Parcels Proposed for Development

I. **Maximum Number of Buildings per Zoning Lot.** The maximum number of principal structures per zoning lot for single family detached development shall be one.

Table 3.301.A.: Residential Standards

District and Development Type	Min. OSR[1]	Gross Density	Net Density	Required Utilities	Min. Area of Parcel Proposed for Development
Suburban Residential (SR)					
Single-Family	0.10[2]	1.976	2.638	Public	12,000 sf.
Cluster (average lot = 8,000 sf.)	0.35	2.057	3.855	Public	10 ac.
Planned / TND (average lot = 5,000 sf.)	0.50	2.349	5.867	Public	~~20~~ 10 ac.
General Residential (GR)					
Single-Family (detached or attached)	0.10[2]	3.797	5.140	Public	6,000 sf.
Cluster (average lot = 5,000 sf.)	0.35	3.291	6.168	Public	3 ac.
Planned / TND(average lot = 4,000 sf.)	0.45	2.923	6.849	Public	~~20~~ 5 ac.
Central Place (CP)					
Single-Family	0.10	4.783	6.849	Public	4,000 sf.
Attached Single-Family	0.10	8.233	11.351	Public	30,000 sf.

Table 3.301.A.: Residential Standards					
District and Development Type	**Min. OSR[1]**	**Gross Density**	**Net Density**	**Required Utilities**	**Min. Area of Parcel Proposed for Development**
TND (average lot = 3,000 sf.)	0.10	6.378	9.132	Public	2.5 ac.
Multi-Family	0.10	**17.868**	**20.427**	Public	12,000 sf.
[1] OSR for single family and manufactured housing development does not apply to the development of one home on an individual lot of record. [2] OSR required only for development that contains five or more lots.					

Amend Sections 3.506, 3.606, and 3.709 and 6.305 to incorporate options for condominium development, a popular development type in Valparaiso and other cities.

Division 3.500 Standard Development

Sec. 3.506 Alternative Standards for Condominium and Alternative Land Development Patterns

A. **Generally.** The standards of Division 3.500, Standard Development, with respect to lot area, lot width, and setbacks relate to the development of residential buildings on conventional lots that are intended to be owned in fee-simple by the owners of the buildings. However, the standards are not intended to preclude other ownership types, such as condominiums (in which the land is owned in common by the owners of the condominium units), or common maintenance communities (in which fee simple ownership is limited to the land under the building, and, in some cases, a small area around it). The alternative standards of this Section are intended to allow such alternative ownership scenarios, provided that the development could be approved pursuant to this UDO using conventional fee-simple ownership arrangements.

B. **Demonstration of Compliance Required.** The proposed pattern of development will be permitted if it is demonstrated that it would comply with the density, open space, and applicable setback requirements of this UDO if it were platted with lots that meet the minimum requirements of Division 3.500 Standard Development for each of the proposed housing types.

Division 3.600 Planned and Cluster Development

Sec. 3.606 Alternative Standards for Condominium and Alternative Land Development

A. **Generally.** The standards of Division 3.600, Planned and Cluster Development, with respect to lot area, lot width, and setbacks relate to the development of residential buildings on conventional lots that are intended to be owned in fee-simple by the owners of the buildings. However, the standards are not intended to preclude other ownership types, such as condominiums (in which the land is owned in common by the owners of the condominium units), or common maintenance communities (in which fee simple ownership is limited to the land under the building, and, in some cases, a small area around it). The alternative standards of

this Section are intended to allow such alternative ownership scenarios, provided that the development could be approved pursuant to this UDO using conventional fee-simple ownership arrangements.

B. **Demonstration of Compliance Required.** The proposed pattern of development will be permitted if it is demonstrated that it would comply with the density, open space, and applicable setback requirements of this UDO if it were platted with lots that meet the minimum requirements of Division 3.600 Planned and Cluster Development for each of the proposed housing types.

Division 3.700 Traditional Neighborhood Development

Sec. 3.709 Alternative Standards for Condominium and Alternative Land Development

A. **Generally.** The standards of Division 3.700 Traditional Neighborhood Development, with respect to lot area, lot width, and setbacks relate to the development of residential buildings on conventional lots that are intended to be owned in fee-simple by the owners of the buildings. However, the standards are not intended to preclude other ownership types, such as condominiums (in which the land is owned in common by the owners of the condominium units), or common maintenance communities (in which fee simple ownership is limited to the land under the building, and, in some cases, a small area around it). The alternative standards of this Section are intended to allow such alternative ownership scenarios, provided that the development could be approved pursuant to this UDO using conventional fee-simple ownership arrangements.

B. **Demonstration of Compliance Required.** The proposed pattern of development will be permitted if it is demonstrated that it would comply with the density, open space, and applicable setback requirements of this UDO if it were platted with lots that meet the minimum requirements of Division 3.700 Traditional Neighborhood Development for each of the proposed housing types.

Article 6 Subdivision Design and Land Development

Division 6.300 Subdivision and Development Design

Sec. 6.305 Lots

E. **Alternative Standards for Condominium and Alternative Land Development Patterns** (Refer to standards in Article 3, Sections 3.506, 3.606, or 3.709)

Amend Section 9.201, Table 9.201 to add standards for parking for multifamily in the Central Place District within 330 feet of a public parking lot or facility, and multifamily within the CBD within 330 feet of a public parking lot or facility with adequate capacity to meet the required parking.

Article 9 Parking, Loading, Access, and Lighting

Division 9.200 Parking and Loading Calculations

Sec. 9.201 Parking and Loading Requirements Table

A. **Minimum Off-Street Parking and Loading Requirements.** The minimum off-street parking and loading requirements for the uses set out in this Code are set out in **Table 9.201, Minimum Parking and Loading Requirements,** below.

Table 9.201:
Minimum Parking and Loading Requirements

Land Use	Parking	Loading
Residential Uses		
Multi-Family	Studio and 1 bedroom units: 1.5 spaces / d.u. 2+ bedroom units: 3 spaces / d.u.	na.
Multi-Family with Commercial (used in mixed-use shared parking calculations)	1 space / d.u.	na.
Multi-Family in Central Place District within 330 feet of a public parking lot or facility	1.5 spaces / d.u.	na.
Multi-Family in the Central Business District within 330 feet of a public parking lot or facility with adequate capacity to meet required parking	No Requirement	

Amend Section 9.204 Location of required parking to require that parking for multifamily be located within 300 feet of the building being served in the CP and CBD Districts.

Sec. 9.204 Location of Off-Street Parking

A. **Location of On-Site, Off-Street Parking.** Parking shall be set back behind any required bufferyard. Parking spaces, aisles, and turning areas shall not encroach upon or overhang any street, driveway, or public right-of-way.

B. **Location of Off-Site, Off-Street Parking.** Parking or overflow parking may be located off-site in common parking areas, subject to the maximum distance requirements of **Table 9.204, Distance to Required Parking.**

Table 9.204: Distance to Required Parking		
Use	**Location of required parking**	**Location of overflow or valet parking**
Single-family (except atrium homes and townhouses)	Same lot as principal building	Within 600 feet of lot
Atrium homes, townhouses, and multi-family	Within 180 feet of principal building being served	Within 600 feet of principal building being served
Multifamily in CP and CBD Districts	Within 330 feet of principal building being served	Within 600 feet of principal building being served
All other uses	Within 600 feet of principal building being served	Within 600 feet of principal building being served

Division 9.300 Parking and Loading Design

Sec. 9.301 Parking Space, Driveway and Module Standards

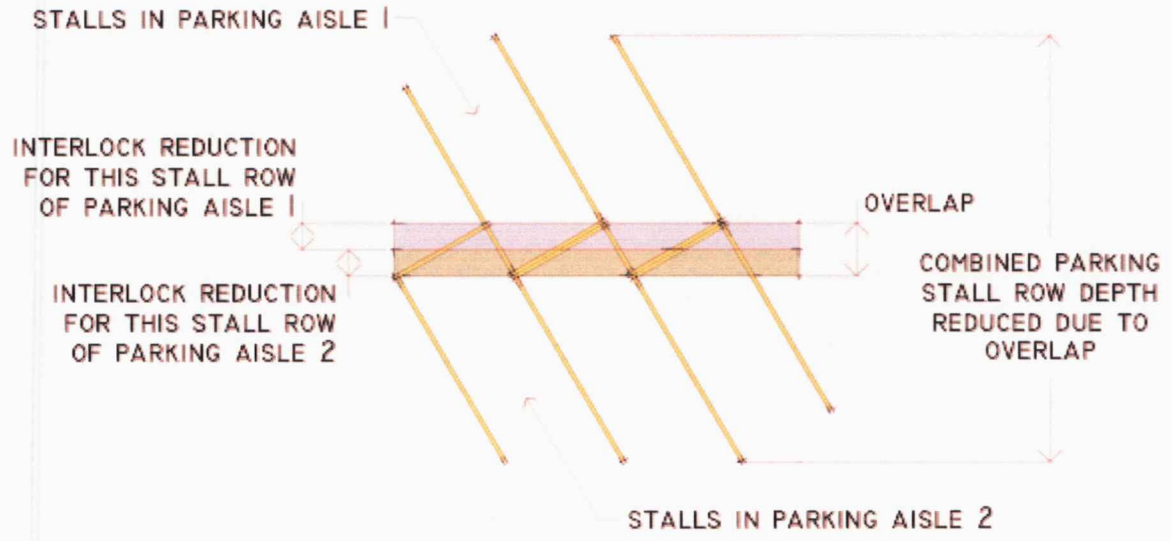
F. **Parking Module Dimensions.** Parking modules shall be dimensioned as shown in **Table 9.301, Minimum Horizontal Parking Dimensions for Standard Automobiles.** The dimensions that are set out in the table are illustrated in **Figure 9.301.B., Parking Module Standards.**

Table 9.301: Minimum Horizontal Parking Dimensions for Standard Automobiles					
Dimension	**One-Way**	**Space Angle (degrees)**			
	Parallel	**30**	**45**	**60**	**90**
One Row of Parking					
Parking stall row depth	9 ft.	17.8 ft.	20.5 ft.	21.8 ft.	20 ft.
Driving aisle width	12 ft.	12 ft.	14 ft.	17 ft.	22 ft.
Minimum width of module (row & aisle)	21 ft.	29.8 ft.	34.5 ft.	38.8 ft.	42 ft.

Table 9.301: Minimum Horizontal Parking Dimensions for Standard Automobiles					
Dimension	**One-Way**	**Space Angle (degrees)**			
	Parallel	**30**	**45**	**60**	**90**
Interlock reduction (per overlapping parking stall row, *see* Figure 0-5-302C, *Interlock Reductions*) (ft.)	0	3.2	2.25	0	
Two Rows of Parking					
Parking stall row depth (total for both rows)	18 ft.	35.6 ft.	41 ft.	43.6 ft.	40 ft.
Driving aisle width	12 ft.	12 ft.	14 ft.	17 ft.	22 ft.
Minimum width of module (rows & aisle)	30 ft.	47.6 ft.	55 ft.	60.6 ft.	62 ft.
Interlock reduction (per overlapping parking stall row) (ft.)	0	3.2	2.25	0	

Figure 0-5-302C
Interlock Reductions

The interlock reduction is available on any side of an angled parking row that interlocks with another angled parking row.



Amend Section 11.205 to require multifamily buildings and multifamily in mixed use buildings in commercial and related districts to adhere to the same design standards as buildings for nonresidential uses.

Article 11 Design Standards

Division 11.200 Residential Design Standards

Sec. 11.205 Multifamily Design Standards

H. **Multifamily and Multi-Family in Mixed Use Buildings in Commercial and Related Districts.** Multifamily and Multifamily in Mixed Use Buildings located in CN, CG, CP, and CBD Districts shall adhere to the same design standards as nonresidential buildings as described in Article 11, Division 11.500 Nonresidential Design Standards.