

ORDINANCE NO. 44-2007

**AN ORDINANCE AMENDING ARTICLE XXIX OF THE ZONING ORDINANCE FOR
THE CITY OF VALPARAISO**

WHEREAS, a petition was presented to amend the Zoning Ordinance Article XXIX; 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 ordinances and;

WHEREAS, the Plan Commission voted to recommend the approval of proposed amendment changes to Article XXIX by a 7-0 vote on October 9, 2007,

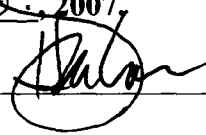
NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso as follows:

1. That the Zoning 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 12th day of Nov., 2007,

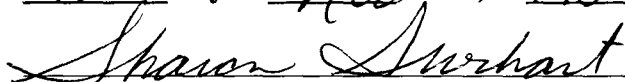


Jon Costas, Mayor

ATTEST:

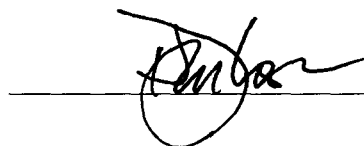

Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 12th day of Nov., 2007, at 7:15 o'clock p.m.



Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 12th day of Nov., 2007, at 7:15 o'clock p.m.



Jon Costas, Mayor

Part IV
Article XXIX

SIGNATURE CORRIDOR OVERLAYS AND GATEWAY DEVELOPMENT

Section 2900 Purpose

The intent of this corridor design overlay is to create a unified sense of character while developing a functional transportation plan. This can be accomplished by regulating building setbacks, intersections and drives, providing pedestrian and bike connections, and establishing minimum standards for landscape requirements. The linear landscape treatment will provide continuity throughout the corridor, with major emphasis at the intersections.

This ordinance includes the original overlays for both State 49 (Article 29) and US 30 (Article 32). Both State 49 and US 30 (Morthland Drive) are Signature Street/highways with limited access, and are important means of transportation in Porter County, with access to interstates and other major highways. It is therefore important to preserve the aesthetic qualities of the bordering properties through the establishment of basic standards, and the encouragement of efficient land uses.

It is also the intent of this ordinance to develop gateway designs for new and existing main districts and corridors; to promote design requirements for utilities, lighting, landscape, curb and sidewalk, detention areas, signage, building quality types, and utilities for key existing and new commercial areas; and include aesthetic design considerations and improvements in city projects.

Section 2910 Scope of Application

This ordinance covers development and redevelopment within 600 feet of the right-of-way along both sides of the following corridors: Washington Street from Morthland to Lincolnway; Lincolnway from west city limits to LaPorte and east city limits ; Morgan/Calumet from Lincolnway to north city limits; along both sides of the Local Signature Streets: 700N from State 149 to State 49; State Route 2 from 150W to Morthland; Campbell St. from Lincolnway to 700N; Vale Park Road from State 130 to State 49; Burlington Beach Road from Calumet to east city limits; Calumet from Burlington Beach to 700N; Silhavy Road from US 30/Morthland Drive to Calumet; and Regional Signature Streets: US 30/Morthland Drive from Joliet to Porter/LaPorte County line; State 49 from Division to 700N; and State 149 from State 130 to 700N (see Figure 8).

Section 2920 Administration

The administration of this ordinance supersedes the underlay zoning requirements. Any conflict between the provisions in this section and other articles of the City of Valparaiso Zoning Ordinances is resolved in favor of the provisions of this article. Any issues not covered in this overlay, the existing Zoning Ordinance will be in effect. Optional design standards will be considered by the Plan Commission for any sections of a signature street. The effective date of this ordinance is Sept. 11, 2000.

Section 2930 Definitions

Access/frontage road: a street parallel to a Signature Street that allows access to various lots that do not have direct access to the Signature Street. The Access/frontage road location will be determined at the time of Site Review and can be parallel to the Signature Street right-of-way or placed behind buildings. Wherever possible, Access/frontage roads will connect to major arterials or collectors.

Building, front line of: the line of the face of the building nearest the front lot lines.

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.

Front yard: that side of a lot, including any corner lot, between the building and the right-of-way of either State 49 and/or US 30 (Morthland Dr.)

Gateway – an intersection designated as an entrance into the city or into the downtown area; that is planned for additional design elements to “announce” the arrival to a special place.

Greenbelt: a portion of the front yard of a lot which is parallel to the right-of-way of either State 49 and/or US 30 (Morthland Dr.) reserved for landscaping and/or monument signage, and has a minimum depth of thirty (30) feet on State 49 and 15 feet on US 30. The greenbelt is not part of the street right-of-way but can be in the unpaved portion of an access/frontage road right-of-way.

Prototypes – do not represent any actual street segments but are reasonable examples of the kind of roadway cross-sections and abutting development that should occur over time as Valparaiso develops.

Right-of-way – the public area dedicated to the city that includes the paved street area, sidewalks, and underground utilities. A designated right-of-way means this area has been dedicated to public access.

Signature street – (see Figure 8) these special streets set the design standard for the community and include standards for utilities, signs, landscaping, traffic control and lighting. These standards define the quality commitment of the city to its residents, and will upgrade the way individuals absorb their community and their environment. As important circulation routes, the city is viewed daily from these corridors. The signature streets define Valparaiso, where people live, work, carry out business, choose to shop or just visit. It is expected that major land use investments will be attracted to these routes because of their prominence, the access they provide and if developed as proposed the prestige factor of being located along one of Valparaiso's unique signature streets.

Section 2932

Identification of Types and Locations of Signature Streets

These corridors are shown on Figure 8. They have been selected for their ability to link the entire community and where the most development and redevelopment are happening. They are very important circulation routes and gateways into and out of the City. Both sides of these streets are included in this ordinance. Prototypes of recommended intensity of design and appropriate design concepts and materials are presented in Figures, 9 and 9.5 Both these design prototypes are intended to show how a signature corridor can be comprehensively designed. They do not represent any actual street segments in Valparaiso but instead are reasonable prototypes of the kind of roadway cross-sections and abutting development that should occur over time as Valparaiso develops.

1. Highest Priority Signature Streets

The highest priority signature streets are those with the most development and redevelopment potential. They are also the major access points into and out of the City. Highest priority signature streets are both sides of:

- Washington Street from Morthland to Lincolnway
- Lincolnway from west city limits to LaPorte and east city limits
- Morgan/Calumet from Lincolnway to Burlington Beach Road

2. Local Signature Streets

The Local Signature Streets are arterials that carry both local and through traffic through the city. They could be designated limited access streets. Local Signature Streets are both sides of:

- 700N from State 149 to State 49
- Vale Park Road from State 130 to State 49
- Calumet from Burlington Beach Road to 700N
- Burlington Beach Road from Calumet to east city limits
- State Route 2 from 150W to Morthland (US 30)
- Campbell St. from Lincolnway to 700N
- Silhavy Road from Morthland (US 30) to Calumet Avenue

3. Regional Signature Streets

Regional Signature Streets are local state and federal highways that are used by local residents and visitors and people passing through the City and County. Regional Signature Streets are both sides of:

- Bypass 49 from Division to 700N
- State 149 from US 30 to 700N
- US 30/Morthland Drive from Joliet to Porter/LaPorte County