

MEETING AGENDA

Valparaiso Plan Commission
Tuesday, April 13th, 2021, 5:30 PM
Valparaiso City Hall – Council Chambers

1. Pledge of Allegiance
2. Roll Call
3. Adoption of Meeting Minutes
4. Old Business

Z021-001 – A petition filed by the City of Valparaiso, 166 Lincolnway, Valparaiso, IN 46383. The proposed text amendments would apply to all properties throughout the City of Valparaiso. The petitioner is requesting approval of amendments to the Valparaiso Unified Development Ordinance regarding the following:

- *Article 2 Permitted Uses and Supplemental Standards*
- *Article 5 Signs*
- *Article 8 Streets and Utilities*
- *Article 9 Parking, Loading, Access and Lighting*
- *Article 10 Landscaping*
- *Article 11 Design Standards*
- *Article 15 Permits and Procedures*
- *Article 18 Definitions.*

Z021-002 – A petition filed by the City of Valparaiso, 166 Lincolnway, Valparaiso, IN 46383. The petitioner requests approval of the proposed Zoning Map changes to accompany the Unified Development Ordinance. The proposed zoning changes will apply to an area of Heavy Industrial (INH) and Light Industrial (INL) zoned properties bounded by Evans Ave on the north, Garfield Ave on the east, Elm St on the south and Madison St on the west; and a parcel containing the Valpo Transit parking lot south of the Chicago, Fort Wayne, and Eastern Railroad tracks bounded by Campbell St extended on the east and Kinsey St on the west.

5. New Business

MS21-001 – A petition filed by Russ Pozen, DVG Team, 1155 Troutwine Rd, Crown Point, IN 46307. The petitioner requests approval of a minor subdivision of two (2) lots. The property is located at 708 Evans Ave.

6. Staff Items

7. Adjournment

Matt Evans, President – Valparaiso Plan Commission

Beth Shrader, Planning Director

Next Meeting: May 11th, 2021

Interested persons can view the public hearing Live on the City of Valparaiso Website, www.valpo.us.

****Requests for alternate formats please contact Beth Shrader at bshrader@valpo.us or (219) 462-1161. ****

Sec. 2.302 Fences, Garden Walls, and Hedges

A. Height. No fence shall exceed the following heights:

1. Interior side and rear yards: Six feet.
2. Street side yards: Four feet.
3. Area between front building line (or abutting property owner's front building line on the same side as the proposed fence, whichever is closer to the street) and street: Four feet.
4. In side or rear yard abutting a CG, INL, or INH zoning district: Eight feet.
5. In side or rear yard abutting an arterial or collector: Six feet.

B. Setbacks.

1. Sidewalks: Six inches.
2. Streets:
 - a. Generally: Five feet.
 - b. Intersection of street lot lines: 20 feet.
3. Alleys:
 - a. Face is at least 40 percent opaque: Three feet.
 - b. Face is less than 40 percent opaque: One foot.

C. Design.

1. All fences that face public rights-of-way, except alleys, shall be ornamental.
2. Open picket fences that are located in front yards or street side yards shall be designed such that 40 percent of the face of the fence is evenly spaced openings between pickets.
3. Slats shall not be installed on fences.

D. Orientation. The finished side of all fences shall face out toward neighboring property or adjacent rights-of-way. Where fences are located on the property line of residential property, the finished side of the fence shall face the yard that does not belong to the applicant, unless the applicant provides written consent of the abutting property owner to the City.

E. Materials.

1. Materials shall be durable, and of a character commonly used in residential applications, including: weather resistant wood species, split rail, wood treated with U.S. Environmental Protection Agency approved preservatives, painted wood, ornamental wrought iron or powder-coated aluminum, vinyl, brick, and stone.
2. Chain Link and Welded Wire fences are permitted only in interior side yards and rear yards that are not also street yards. Welded Wire fences shall meet the following requirements:
 - a. Welded Wire fences shall have coated wire.
 - b. Welded Wire fences shall have a minimum of 11 1/2 Gauge Wire.
 - c. Welded Wire fences shall be installed with a top and bottom border and/or rail.
3. Scrap lumber, plywood, tree branches, tree trunks, sheet metal, plastic, or fiberglass sheets are expressly prohibited. Barbed wire, spikes, nails, or other sharp point or instrument on top or sides of such fence are prohibited. ~~Welded wire~~, agricultural fencing, and chicken wire fences are not permitted.
4. Barbed wire cradles facing inward toward the property may be placed on top of fences enclosing public utility buildings or wherever the Building Commissioner finds that such are necessary to address a demonstrated security interest.

F. Exceptions.

1. Fences, walls, or hedges, which are specifically required pursuant to Article 10, Landscaping, shall conform to the requirements of that Section.

Sec. 2.303 Accessory Buildings and Structures

- A. **Timing of Construction.** No accessory building or structure shall be constructed unless the principal building is constructed or under construction simultaneously with the accessory building.
- B. **Attached Accessory Buildings.** Accessory buildings that are structurally attached to a principal building shall conform to all standards that are applicable to the principal building.
- C. **Maximum Number of Accessory Buildings.** No more than two accessory buildings shall be constructed on a lot in the SR, GR, UR, or NC District.
- D. **Detached Accessory Buildings or Structures, Except Small Sheds.**
1. Height: One story or 17 feet, whichever is lower.
 2. Footprint: Accessory buildings are counted toward the calculation of building coverage. In addition, no detached accessory building or buildings shall cover an area that is larger than that covered by the principal building, nor ~~cover be larger than more than~~ 25 percent of the required rear yard or 600 square feet, whichever is more, except that:
 - a. In the ER district, no detached accessory building or buildings shall cover an area that is larger than the smaller of:
 - i. 50 percent of the footprint of the principal building; or
 - ii. 1,800 square feet.
 - b. In the RU district:
 - i. Accessory buildings and structures are permitted as needed to support agricultural uses.
 - ii. Non-agricultural accessory buildings and structures are limited as if the parcel proposed for development was zoned ER.
 3. Setbacks:
 - a. Front:
 - i. ~~Generally: Behind principal building.~~
 - ii. Carports or garages: Behind front building line.
 - iii. Other Detached Accessory Structures: Behind Principal Building
 - b. Street Side: Equal to the required front setback for the zoning district.
 - c. Interior Side: ~~The greater of:~~
 - i. Equal to the required side yard setback for the zoning district.
 - ii. ~~Three feet from the lot line; or~~
 - iii. ~~Six feet from the closest setback line on adjacent property.~~
 - d. Rear:
 - i. Generally: Six (6) feet; except where easements require a greater distance
 - ii. ~~Generally: Three feet, and three feet on a double frontage or through lot with a six foot privacy fence; otherwise the structure shall be placed behind the required rear yard setback line.~~
 - iii. Garage with door facing alley: 20 feet.
 - e. Buildings on the same lot: 6 feet.
 4. Configuration of Detached Carports and Garages: Detached carports and garages that serve attached single-family dwellings or multifamily dwellings shall not:
 - a. Be located closer than 20 feet to a building setback line on an adjacent lot that is not used for attached single-family dwellings or multifamily dwellings of the same type;
 - b. Interfere with building ventilation; ~~or~~
 - c. ~~Cast a shadow that shades more than 60 percent of a ground-floor clear glass window of any dwelling unit (whether on the parcel proposed for development or on an adjacent lot) between the hours of 9:30 a.m. and 2:00 p.m., Central Standard Time, December 21. Basement windows and garden level windows shall not be used for the purposes of this calculation.~~

5. Easements: Accessory structures shall not be located within access or utility easements unless the easement expressly allows the encroachment. ~~A copy of the easement shall be provided to the Planning and Building Department prior to the issuance of permits or clearances for such structures.~~
6. Detached Carports and Garages ~~Accessory buildings~~ shall be designed to be compatible with the principal building in terms of:
- a. Color, which shall be the same as the principal building or which shall compliment the principal building;
 - b. Materials, which shall be the same as those used on the principal building, and in the case of siding or brick, shall be installed with the same patterns as on the principal building;
 - c. Roof Pitch, which shall be the same as the principal building;
 - d. Roof materials and color, which shall be the same as the principal building;
 - e. Fenestration, if windows are provided, they should be of a type and aspect ratio that is similar to those on the principal building.
7. Other detached accessory structures shall be designed to be compatible with the principal building in terms of:
- a. Color, which shall be the same as the principal building or which shall compliment the principal building;
 - b. Materials, which shall be the same as those used on the principle building or which shall compliment the principal building;
 - c. Roof style and color; shall be the same as the prinicpal building or which shall compliment the principal building;
- E. **Small Sheds.** Sheds that are less than eight feet in height to the peak of the roof and less than 20 square feet in loor area may be located anywhere in a rear yard, subject to (D)(5) C.5., above, provided that if they are located closer than two feet to a side or rear lot line, the area between the shed and the lot line is planted with shrubs that will grow to form a hedge with a height of three feet within not more than 18 months of planting.
- F. **Residential Occupancy.** Residential occupancy of accessory buildings that are not constructed and approved for residential use is prohibited.

Sec. 5.203 Exempt Signs

A. **Generally.** The following signs, if they comply with the limitations as stated in this section, and if they are permitted in the pertinent zoning district as set forth in this UDO, are exempt from the requirement of a sign permit:

1. Construction signs, provided that the contractor or other person placing such sign has made and maintains the deposit set forth in subsection B., below;
2. Real estate signs, except that if placed by any person or firm in the business of selling or brokering real estate, the exemption shall apply only if such person or firm has made and maintains the deposit set forth in subsection B., below;
3. Specific decorative displays used for holidays, public demonstrations or promotions of civic affairs or charitable activities, except that such may be situated on public property only if authorized by the Valparaiso Board of Public Works and Safety;
4. Signs advertising private garage sales;
5. Posters announcing special programs or events;
6. Campaign signs as permitted in **Section 5.307, Campaign Signs**, but not including campaign signs on billboards;
7. Home occupation signs;
8. ~~Window signs, provided that the sign does not cover more than 25 percent of the upper and lower portions of the window;~~ Window Signs, provided they follow requirements in Section 5.310, Window Signs;
9. House numbers, name plates for residential housing units identifying the occupancy and address of the premise, not to exceed two square feet;
10. Signs identifying the building name or occupancy and address of the building on fraternity, sorority and professional buildings, not to exceed eight square feet in area;
11. Integral signs;
12. Signs painted on or attached to vehicles bearing current license plates unless such signs are within the definition of **Section 5.202, Prohibited Signs; Special Exemptions with Written Permit**, subsection A.7;
13. Signs on vending machines, gas pumps, or ice containers indicating only the contents of such devices, provided that as to each such device the sign area does not exceed six square feet;
14. Signs not exceeding six square feet each which contain only noncommercial messages including designation of restrooms, telephone location, restrictions on smoking, door openings, and private traffic control and parking signs;
15. One sign, not to exceed six square feet in area, per parking lot entrance identifying the business served and providing driving and parking information;
16. Business signs, not to exceed two square feet in area per sign face, containing information on credit cards and business affiliations;
17. Wall signs of no greater than ten square feet and installed no higher than the interior ceiling of the first floor level;
18. Artisan Signs provided that the artisan or other person placing such sign has made and maintains the deposit set forth in subsection B., below.
19. Financier's Signs provided that the financier or other person placing such sign has made and maintains the deposit set forth in subsection B., below.
20. Portable Signs.

B. **Exemption Deposit.** The exemption from the requirement of a written sign permit for construction signs, artisan signs, financier's signs, or real estate signs placed by any person or firm in the business of selling or brokering real estate applies only if the person or firm placing any such sign files a bond in the amount of \$100 with the City Clerk-Treasurer. Such bond shall be available to the Building Commissioner to cover any fines or costs associated with a violation of this ordinance by the filer. In such event, such person shall replenish the amount so taken in order to maintain the exemption. If any such person or firm is found to have violated the

ordinance three or more times in one calendar year, or fails to maintain the bond at \$100, the Building Commissioner shall revoke the exemption as to such person or firm for up to one year thereby requiring such person to obtain a permit for any sign placed thereafter. (See **Section 5.403, Bonding**, on cash deposits in lieu of bond.)

5.310 Window Signs

A. Generally. Window Signs located in Central Place (CP), Central Business District (CBD), Residential Transition (RT) and the Eastgate Overlay District, shall comply with the limitations as stated in this section and are exempt from the requirement of a sign permit.

B. Window Sign Requirements.

1. Window signs shall not exceed 25 percent of the window area.
2. Window signs greater than 50 percent transparent, shall not exceed 33 percent of window area.
3. Window signs shall not be included in the total allowable sign area.
4. Window Signs shall be reviewed by an Enforcement Official or Designee prior to installation.

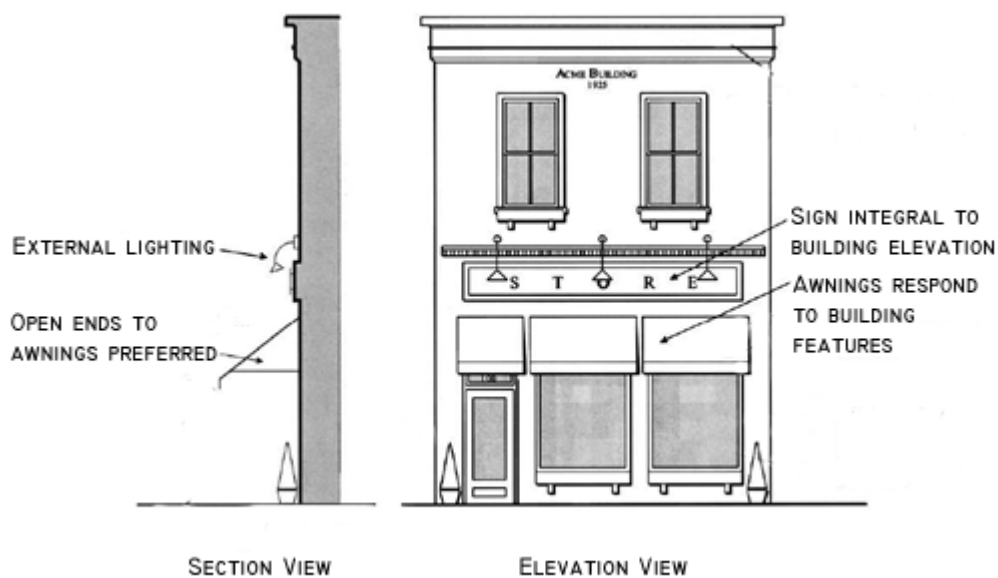
Sec. 5.303 Commercial Districts

- A. **Prohibited Signs.** The following signs are prohibited in the CN, CG and BP districts:
- 1. All signs set forth in **Section 5.202, Prohibited Signs; Special Exemptions with Written Permit**, subsection A.;
 - 2. Any sign not expressly permitted by this section.
- B. **Ground Signs Prohibited in CBD District.** Ground signs are prohibited in the Central Business (CBD) district.
- C. **Permitted Signs.** Subject to **Section 5.202, Prohibited Signs; Special Exemptions with Written Permit**, and to the regulations set forth in this section, the following signs are permitted in the CN, CG, BP, and CBD districts and for nonresidential occupancies in the CP and RT districts:
- 1. All signs set forth in **Section 5.203, Exempt Signs**;
 - 2. Campaign signs which comply with **Section 5.307, Campaign Signs**; and
 - 3. Real estate signs which do not exceed 32 square feet in area.
 - 4. Signs, whether ground signs (except as prohibited by subsection B., above), projecting signs, or wall signs, identifying, advertising, calling attention to, or containing information about the business or activity conducted on the premises (except that automobile service stations shall comply with the provisions of **Section 5.306, Light Automobile Service Signs**).
- D. **Setback Requirement.** No part of a ground sign or ground sign structure shall be closer than five feet to a paved street, a driveway, a sidewalk, the nearest easement line, the nearest property line, or the nearest right-of-way line as established by the Official Thoroughfare Plan.
- E. **Height Regulations.**
- 1. **Ground Signs.** The maximum height of any portion of a permitted ground sign or ground sign structure shall be determined in **Table 5.303.A., Maximum Height of Ground Signs**. If a lot has frontage on more than one street, the calculation shall be based on the largest frontage.

Table 5.303.A.: Maximum Height of Ground Signs	
Street Frontage	Maximum Height
150 . . or less	15 ft.
150 ft. to 300 ft.	1 ft. of height for each 10 ft. of frontage
300 ft. or more	30 ft.

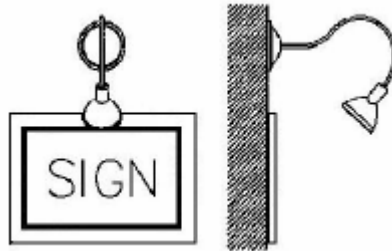
2. **Wall Signs.**
- a. Generally, no maximum height applies to wall signs which do not project in any part above the roof line. Any sign so projecting shall be subject to the height regulations for ground signs, and such shall be measured from the uppermost portion of the sign to ground level.
 - b. In the CBD District, wall signs attached to the facade of buildings shall only be permitted in an area of the facade between the top of the ground floor windows and 12 inches below the bottom sill of the second floor windows (otherwise known as the "sign band"). The maximum vertical dimension of signage in this area shall be one and one-half feet in height. Wall signs shall have raised trim or a raised border of some fashion other than paint. Cabinet style signs, and internally illuminated signs are prohibited. Signage shall be constructed of high quality durable materials, flat, painted wooden boards (such as OSB or CDX plywood not part of a framed sign band) and plastic letters shall be prohibited sign materials. Signage shall be designed and installed by a registered sign contractor. See **Figure 5.303.A., CBD Signage**.

Figure 5.303.A.:
CBD Signage



- c. In the CBD District, individual raised letters and numbers within the field of a sign band shall be installed with equal top and bottom margins. Such signs shall be externally illuminated. Gooseneck style direct lighting is strongly encouraged. See **Figure 5.303.B., Historical Wall Sign and External Lighting**.
- d. In the CBD District, banners and/or similar signs of temporary nature are prohibited on the exterior of the building.

Figure 5.303.B.:
Historical Wall Sign and External Lighting



F. Surface Area Regulations. The combined surface area of all signs (whether ground signs, wall signs, or projecting signs, except that in the CBD district, projecting signs shall not be included) excluding exempt signs as set forth in **Section 5.203, Exempt Signs**; signs permitted pursuant to **Section 5.202., Prohibited Signs; Special Exemptions with Written Permit**, subsection B; real estate signs, and signs permitted by subsections I and J of this section on a lot or building shall not exceed the areas shown in **Table 5.303.B., Maximum Sign Area**. A business or activity with no ground floor frontage is not prohibited from displaying signage; however, the total area of all signs on the building shall not exceed that calculated on the basis of the businesses or activities located on the ground floor.

Table 5.303.B.: Maximum Sign Area	
District	Permitted Sign Area per Lineal Foot of Building Frontage ¹
Commercial, Neighborhood (CN) and nonresidential occupancies in the Residential Transition (RT) and Central Place (CP) districts	One square foot
Commercial, General (CG) and Business Park (BP)	Three square feet
Central Business (CBD)	Three square feet ²
¹ For purposes of calculation, each side of a building that abuts upon a public way shall be considered separate building frontage; however, the surface area of signage attributable to each frontage must face such frontage. ² For any one business or venture, three square feet of sign area for each linear foot of building frontage or 132 square feet, whichever is less. For purposes of the 132 square feet limitation for one business or venture, if such business has frontage on more than one public way, it shall have up to 132 square feet for each public way provided that the signage attributable to each frontage must face such frontage.	

G. Projection Regulations.

1. CBD District.

a. In the Central Business (CBD) district, no sign shall project more than 45 inches into the public way, sidewalk, or dedicated public easement all as determined, in case of dispute, by the City Engineer. Any such projecting sign shall be oriented so that the face surfaces of the sign are perpendicular to the face of the wall from which they project; provided, however, that a sign projecting from a point at which two walls meet to form a corner may be oriented in any direction.

b. Projecting signs shall not exceed 1-1/2 inches in thickness.

2. Other Commercial Districts.

Subject to the limitations set forth herein, projecting signs are permitted as follows:

a. Attached to buildings in the CN district, provided that the building is set back a minimum of 20 feet from the public right-of-way;

b. Attached to buildings with nonresidential occupancies in the RT and CP districts, provided that the building is set back a minimum of 15 feet from the public right-of-way;

c. Attached to buildings in the CG and BP Districts.

3. Restrictions.

Where permitted, projecting signs shall meet the following requirements:

- a. A maximum of one projecting sign per building or building lot, except that for buildings or building lots with more than one business or professional tenancy, each tenant may have one such projecting sign;
- b. The lowest part of such sign or structure encasing such sign is a minimum of eight feet above ground level;
- c. The projection from the building is not more than six feet (or, in the CBD district, 45 inches pursuant to subsection G.1., above) if the sign projects over a public right-of-way or sidewalk;
- d. No part of the sign is closer than 12 inches to a line extended vertically from the curb of a public street or alley; and
- e. The surface area of any sign shall not exceed:
 - i. CN District: 12 square feet
 - ii. Nonresidential uses in the RT and CP districts: 16 square feet
 - iii. CG District: 20 square feet
 - iv. CBD District: Eight square feet

H. Illumination Regulations. If a sign is illuminated by light beamed or reflected upon it, direct rays of light shall not beam upon any part of any existing residential area nor into a residential district, nor into a street. A sign in direct line of vision of a traffic signal shall not be red, green, or amber in color. Illuminated signs are permitted in all commercial districts; however, in the CBD district, internally illuminated signs are prohibited.

I. Unified Shopping Centers. If, in a CN, CG, or RT district, the premises have three or more occupants each with a distinct business name, as in a unified shopping center under single ownership or control, one additional ground sign is permitted containing the name of the premises, the occupants thereof, and, if desired, a changeable copy sign. Such ground sign shall not exceed one square foot of sign area for each one linear foot of building frontage, but in no event shall the total surface area of such ground sign exceed 100 square feet. Such sign shall be in addition to the maximum surface area for such premises as set forth in subsection F., above. Large retail centers consisting of multiple buildings (3 or more) subject to these guidelines may have one multi-tenant monument type ground sign not taller than fifteen (15) feet per frontage.

J. Large Commercial Buildings.

1. For individual buildings (i.e. not in a Unified Shopping Center) in a CG or BP district, one additional ground sign is permitted if the following conditions are met:
 - a. The premises have a minimum of 1,500 square feet of usable floor space;
 - b. The building is set back from any street a minimum of 30 feet; and
 - c. The sign does not exceed 40 feet in surface area.
2. Such sign shall be in addition to the maximum surface area for such premises as set forth in subsection F., above.

K. Moveable Signage Boards. Placement of moveable signage boards (e.g., to display daily specials, such as sandwich boards) shall be permitted according to the following:

1. Limited to one sign board per tenant/business with the total area of the sign not exceeding seven square feet per business.
2. All signage boards shall be professionally designed, printed and mounted on durable signage board.
3. Signage shall be limited to the advertisement and sales of merchandise or services directly associated with the business type.
4. Such signage shall be permitted to be displayed on pedestrian walkways located adjacent or nearly adjacent to the entrance of an establishment. Such signage shall not be placed in any drive or access area, nor placed within any landscape area. Such signage shall not be used as a replacement for directional signage.
5. Such signage shall be located a maximum of 10 feet from a public entrance to an establishment.
6. Such signage shall be brought inside at dusk or close of business day each day
7. Such signage shall not block or impede pedestrian rights of way or walkways
8. Such signage shall not be internally or externally directly illuminated.

Sec. 8.204 Street Standards

A. Access.

1. Subdivisions with 30 or more lots, or multifamily developments with 50 or more dwelling units, shall have at least two access points to/from existing roadways. Those access points shall be located as far apart as practical and consistent with **Division 9.400, Access Management and Circulation**.
2. The street layout of a subdivision shall provide access to all building sites and parcels.
3. Street alignment within the subdivision shall utilize curves, islands, intersections, and/or other methods that allow adequate access but discourage speeding.

B. Offsite Connectivity.

1. Certain appropriate streets shall be extended to the boundaries of the subdivision to provide for future connections to other properties, consistent with the **Official Intermodal Transportation Plan**.
2. Wherever streets have been dedicated or platted on the adjacent properties for extension into or through the proposed subdivision then those streets shall be incorporated into the street layout of the proposed subdivision.
3. Wherever there exists a portion of a dedicated or platted street or alley adjacent to the proposed subdivision the remainder of the street or alley shall be platted to the prescribed width in the proposed subdivision.

C. Right-of-Way and Pavement Widths.

1. For all development, width of street and/or alley pavements shall conform to the widths specified in the **Standards Manual**, and widths of rights-of-way shall conform to the widths specified in the **Standards Manual**; **Section 8.203, Functional Classification**; and/or the **Official Intermodal Transportation Plan**.
2. Streets shall be designed within rights-of-way with widths as set out in **Table 8.204, Right-of-Way Width**. Details regarding of lanes, sidewalks, medians, parkways, and other street elements are provided in the **Standards Manual**.
3. For all development, where additional right-of-way is needed to comply with the requirements or width as outlined in Section 8.203 Functional Classification, or required obtain vertical curve, grade, clear sight triangles, turn lanes, or medians, the required right-of-way shall be dedicated to the City or adjusted to the extent necessary in accordance with local needs as determined by the City Engineer.

Table 8.204: Right-of-Way Width	
Classification	ROW Width
Signature Arterial	120 ft.
Arterial	100 ft.
Arterial	80 ft.
Arterial	60 ft.
Collector	60 ft.
Local Street (Nonresidential or Multifamily)	60 ft.
Local Street (Residential)	50 ft.
Frontage Street	40 ft.

D. Sight Distance for New Development.

1. A Sight Distance Analysis shall be made for all intersecting public streets and alleys.
2. When required by an Enforcement Official, a Sight Distance Analysis shall be made for driveways and other accesses to the public right-of-way.
3. A Sight Distance Analysis shall include both decision and stopping sight distance.
4. The most current American Association of State Highway and Transportation (AASHTO): *A Policy on Geometric Design of Highways and Streets* shall be used to calculate and analyze **Stopping Sight Distance**, and

Decision Sight Distance values.

5. The calculations and resulting analysis shall accompany the construction plans submitted to Enforcement Of icial for review.

Sec. 9.404 Access Dimensions

A. General. The dimensions of access points are based on the peak hour trip generation volume of the uses to which access is to be provided. Peak hour trips may be allocated to one or more proposed access points. A qualified engineer shall provide the calculations for peak hour trip generation and assignment to proposed access points. However, the low impact uses described in subsections B. and C. are not required to provide calculations by an engineer with respect to trip generation and assignment.

B. Single-Family, Twin Home, and Duplex Lots. Each lot that contains a single-family, twin home, or duplex shall have no more than two driveways along any street frontage. Driveway width shall not exceed the width set out in **Table 9.404.A., Maximum Width of Access.**

Table 9.404.A.: Maximum Width of Access		
Use Classificaon	Standard	Maximum Access Width (.)
Single-Family Residen al	One-car garage (max. width)	24.0'-*
	Two-car garage (max. width)	
	Three-car garage (max. width)	
Twin Home and Duplex	Two, one-car garages (max. width)	24.0'-*
	Two, two-car garages (max. width)	
*Standards in accordance with the City of Valparaiso Specifica ons and Standards for Acceptance of Municipal Improvements.		

C. Low Volume Presumption. The following uses are presumed to require only a single low volume access point, as described in **Table 9.404.B., Access Standards, General**, or, if located within the Urban Residential (UR), Central Business District (CBD), Central Place (CP), or Residential Transition (RT) district, **Table 9.404.C., Access Standards, Urban Areas**. Uses that are presumed to be of low impact pursuant to this subsection shall not require additional analysis for so long as the conditions of this subsection are met:

1. All residential development of less than 50 units which is not of a type that is subject to subsection B.
2. All nonresidential development, except light automobile service, in which less than 5,000 square feet of floor area is served by the access point.

D. Standard Dimensional Requirements.

1. In all districts except the Urban Residential (UR), Central Business District (CBD), Central Place (CP), and Residential Transition (RT) districts, the access standards of **Table 9.404.B., Access Standards, General** apply.

Table 9.404.B.: Access Standards, General						
Access Type	Maximum peak hour volume	Access Lanes and Lane Widths	Reservoir	Radius Return by Street Functional Classification		
				Arterial	Collector	Minor
Low Volume	50 trips	12 ft. ingress; 12 ft. egress	25 ft.	30 ft.	20 ft.	15 ft.
Mid-Volume	200 trips	14 ft. ingress; 4 ft. median; 2 12 ft. egress*	50 ft.	30 ft.	20 ft.	15 ft.
High Volume	500 trips	14 ft. ingress; 4 ft. median; 2 12 ft. egress*	100 ft.	35 ft.	30 ft.	20 ft.
* Only 1 egress shall be required if the access point is configured as a right-in, right-out access.						

2. In the Urban Residential (UR), Central Business District (CBD), Central Place (CP), and Residential Transition (RT) districts, the access standards of **Table 9.404.C., Access Standards, Urban Areas** apply.

**Table 9.404.C.:
Access Standards, Urban Areas**

Access Type	Maximum peak hour volume	Access Lanes and Lane Widths	Reservoir	Radius Return by Street Functional Classification		
				Arterial	Collector	Minor
Low Volume	150 trips	12 ft. ingress; 12 ft. egress	25 ft.	25 ft.	20 ft.	15 ft.
Mid-Volume	300 trips	12 ft. ingress; 2 11 ft. egress*	25 ft.	25 ft.	20 ft.	15 ft.
High Volume	500 trips	14 ft. ingress; 4 ft. median; 2 11 ft. egress*	50 ft.	30 ft.	25 ft.	20 ft.

* Only 1 egress shall be required if the access point is configured as a right-in, right-out access.

C. Measurement of Reservoir. Generally, the reservoir indicated in Tables 11.404.B. and 11.404.C. is measured from the property line to the edge of the first parking space or aisle. However, the reservoir may be measured from the edge of pavement of the adjacent street if it is demonstrated that:

1. Measurement from the edge of pavement allows for an improved site design; and
2. It is not anticipated that the adjacent street will be widened for at least 25 years.

D. Peak Hour Volume in Excess of 500 Trips. If the peak hour volume of an individual access point exceeds 500 trips, the access point shall be designed as a street intersection. Further access to lots or parking areas shall be evaluated according to the standards of this Division (e.g., the corner clearance standard will apply to the distance from the intersection to the first internal access connection, and the reservoir standard will apply to the distance between the connection and the first parking space).

E. Alternative Design. The City Engineer may require that access points be configured as right turn in, right turn out when the provision of left turn access would result in significant disruption of traffic flow on the public street.

9.408 Traffic Impact Study

A. Generally. When required by an Enforcement Official or Designee, and as applicable, a Traffic Impact Study shall be conducted in accordance with the current edition of the Indiana Department of Transportation's (INDOT) *Applicant's Guide to Traffic Impact Studies*.

1. A preliminary meeting shall be held with the Enforcement Official or Designee prior to commencing the study to identify the study area and review analysis parameters.
2. The Traffic Impact Study may assess existing intersecting street(s) beyond the development (e.g., next adjacent major intersection) or be used to determine location of driveway accesses and/or pedestrian crossings.
3. The Traffic Impact Study shall analyze the proposed intersection control (e.g., stop signs, traffic signals) and auxiliary lane usage in consultation with the current editions of the *Indiana Manual on Uniform Traffic Control Devices* (IMUTCD) and *INDOT Design Manual* (IDM).
4. The Traffic Impact Study shall be a written document, certified by a professional engineer, and provided to the Enforcement Official or Designee for review prior to primary approval.

Sec. 9.501 Nonresidential Lighting Standards

A. **Generally.** The maximum permitted illumination and the maximum permitted luminaire height shall conform with this Section.

B. **Fixture Type.**

1. Generally, light fixtures shall be "cut-off" fixtures that limit lighting that is visible or measurable at the property line.
2. "No cut-off" fixtures may be used only for decorative purposes, provided:
 - a. They have luminaires that produce no more than 1,500 lumens (approximately equal to a 100W incandescent bulb);
 - b. They have a maximum height of 15 feet; and
 - c. They use energy-efficient bulbs, such as compact fluorescent (CF) or Light-Emitting Diodes (LEDs).

C. **Parking Lot Illumination.**

1. Parking Lot Light Fixtures shall be oriented to cast light downward toward the parking area.
2. Lighting for Parking lots with more than 15 parking spaces shall be reduced by 50% no later than 11 P.M., and or within 1 hour after closing of the business, whichever is later. Lighting reduction is only required if an adjacent use is residential.

D. **Maximum Freestanding Fixture Height.** No freestanding light fixture shall be greater than 25 feet in height.

E. **Maximum Illumination.**

1. Outdoor lighting shall be directed, shaded and focused away from adjacent properties and/or right-of-way and shall not be a nuisance to such adjacent properties and/or right-of-way.
2. Outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties and/or right-of-way shall not exceed the illumination level listed in Table 9.501, Maximum Illumination. ~~three-tenths foot-candle, measured vertically, and three-tenths foot-candle, measured horizontally, on adjacent properties.~~

Table 9.501: Maximum Illumination	
<u>Adjoining Use or District ;Whichever is more restrictive</u>	Maximum Foot Candle; Measured Vertically and Horizontally
Open Space and Residential (ER, SR, GR, UR, NC, CN)	0.3 Foot-Candle
Commercial, Campus, and Mixed Use (CG, CBD, CP, RT, BP, CA)	0.5 Foot-Candle
<u>Industrial (RU, INL, INH)</u>	1 Foot Candle

3. The ground-level luminance ratio (the ratio between the luminance of the brightest point on the property and the darkest point on the property) shall not exceed 12 to one.
4. If additional light is necessary, it shall be provided within an enclosed structure.
5. Outdoor Lighting may exceed maximum overspill onto adjacent properties with Planning Director Review, provided:
 - a. The property owner is the same on both adjacent properties and has provided a written letter.
 - b. Outdoor Lighting shall be removed if the property or lot is sold or transferred to another property owner. Outdoor Lighting shall be removed within ninety (90) days from the selling or transfer of the lot.

F. **Canopy Lighting.** Canopy lighting for uses that have sheltered outside work or service areas, such as gas stations, shall meet the standards of this Section. All luminaires shall be recessed into the canopy so that they cannot be viewed from off-site from an eye height of four feet (to protect automobile drivers from glare).

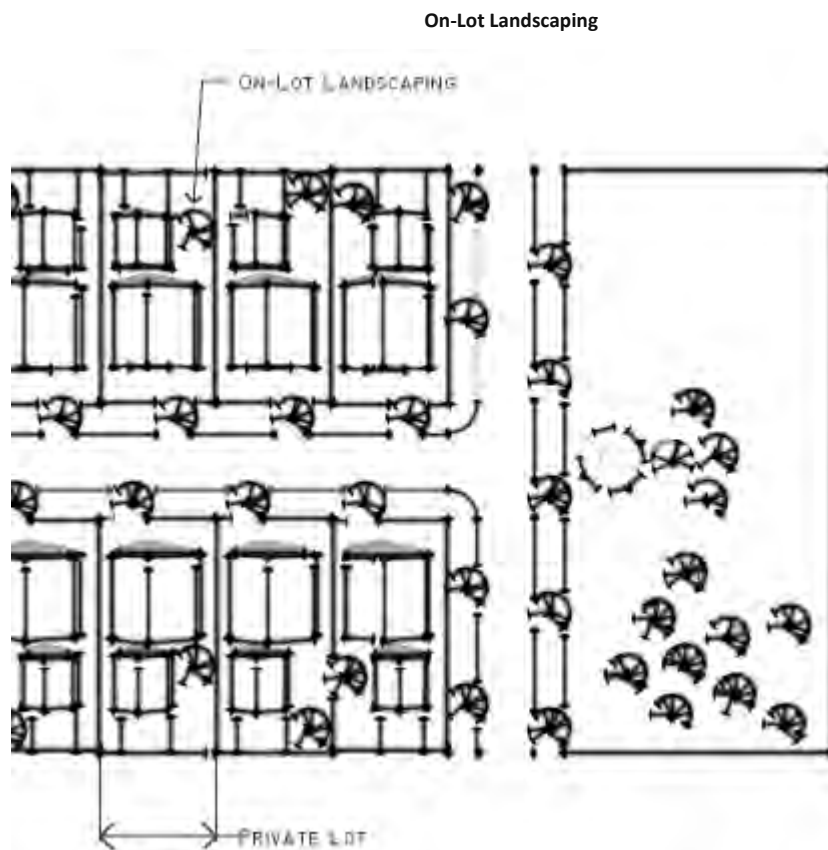
G. **Outside Wall-Mounted Lighting.** Outside wall-mounted lighting shall also comply with the standards of this Division, except that lighting that is required by the Federal Aviation Administration shall comply with Federal standards.

H. **Glare.** Exterior Lighting shall be oriented to reduce glare onto adjacent properties and/or right-of-way.

Sec. 10.301 On-Lot Landscaping

A. **General.** On-lot landscaping is that landscaping which is installed on property that is designated for development, such as single-family residential lots, multi-family residential lots, and non-residential lots (in landscape areas that are required pursuant to the applicable landscape surface ratio (LSR)). It does not include landscaping in designated open space areas (e.g., those provided pursuant to the applicable open space ratio (OSR)), which are subject to the landscaping requirements of **Section 10.303, Open Space Landscaping**. See **Figure 10.301, On-Lot Landscaping**. Areas where other required landscaping or bufferyards have already been provided are not included in the area for calculation of required on-lot landscaping.

Figure 10.301:
On-Lot Landscaping



B. **Required.** On-lot landscaping shall be provided as described in **Table 10.301, On-Lot Landscaping Standards**.

Table 10.301:
On-Lot Landscaping Standards

District and Development Type	Large Trees	Small Trees	Shrubs
Rural (RU)			
Agriculture and Farmstead	N/A	N/A	N/A
Residential (except farmstead)	2 per acre	4 per acre	N/A
Non-residential (except agriculture)	3 per acre	6 per acre	40 per acre
Estate Residential (ER)			
Residential (single-family detached)	2 per lot	5 per lot	N/A
Residential (all other)	1 per d.u.	2 per d.u.	17 per d.u.
Non-residential	5 per acre	10 per acre	170 per acre

Suburban Residential (SR)			
Residential (single-family detached)	2 per lot	4 per lot	N/A
Residential (all other)	1 per d.u.	2 per d.u.	17 per d.u.
Non-residential	5 per acre	10 per acre	170 per acre
General Residential (GR)			
Residential (single-family detached)	1 per lot	1 per lot	N/A
Residential (all other)	1 per d.u.	1 per d.u.	10 per d.u.
Non-residential	12 per acre	24 per acre	200 per acre
Urban Residential (UR)			
Residential (single-family detached)	1 per lot	1 per lot	N/A
Residential (all other)	14 per acre	28 per acre	238 per acre
Non-residential	12 per acre	24 per acre	200 per acre
Neighborhood Conservation (NC)			
Residential	1 per d.u.	1 per d.u.	N/A
Non-residential	8 per acre	16 per acre	136 per acre
Residential Transition (RT)			
All uses	12 per acre	24 per acre	200 per acre
Campus (CA)			
per approved campus plan			
Business Park (BP)			
All uses	8 per acre	16 per acre	46 per acre
Central Place (CP)			
Residential	1 per d.u.	1 per d.u.	N/A
Non-residential	8 per acre	16 per acre	46 per acre
Commercial, Neighborhood (CN)			
All uses	16 per acre	32 per acre	90 per acre
Commercial, General (CG)			
All uses	9 per acre	18 per acre	50 per acre
Central Business District (CBD)			
All uses	5 per acre	10 per acre	N/A
Light Industrial (INL)			
All uses	2 per acre	4 per acre	35 per acre
Heavy Industrial (INH)			
All uses	4 per acre	8 per acre	25 per acre

- C. **Distribution.** In general, on-lot landscaping may be distributed around the lot. For example, shrubs may be used as foundation plantings, as hedges, or planted in groups. Trees must be given adequate room for healthy growth and stability. Foundation plantings shall be used in all areas between any principal buildings and any parking lots, drives, and public street rights of way and private streets. The area of foundation planting beds shall be no less than four (4) feet in width for smaller parking lots as described in Section 10.304 F., and not less than six (6) feet in width for all other required parking areas.
- D. **Front Yards.** In all districts except the RU, CBD and CG Districts, lots that include buildings that are more than 60 feet wide or two stories tall shall be landscaped with trees that are arranged to break up the appearance of building mass, so that the building is perceived to be divided into widths of no greater than 50 feet when viewed from street-level vantage points along public street rights-of-way.
- E. **Groundcovers and Sod or Seed.** Residential yards, including those on single-family, two-family, and multifamily lots, shall be sodded, seeded or planted with permitted groundcovers as set out in **Appendix B**, Plant Lists.
- F. **Timing of Installation.** Required trees, shrubs, and sod shall be installed on each lot prior to the issuance of a certificate of occupancy for that lot. The City may issue a temporary certificate of occupancy during winter months, and a final certificate of occupancy when weather permits.
- G. **Active Recreation Areas.** The area within play fields and ball fields shall be subtracted from the total on-lot landscaping requirements. However, where the perimeter of an active recreation area is within 30 feet of one or

more residentially zoned or used lots, the perimeter shall be planted with a Class C Bufferyard as described in **Section 10.401, Bufferyard Classifications.**

- H. **On-Lot Landscaping Reduction.** With approval of the Planning Director, on-lot landscaping Standards may be reduced and/or waived for lots with partial development until there is additional development on the lot.

Sec. 11.302 Applicability

A. **Generally.** This ordinance covers development and redevelopment within 600 feet of the nearest centerline right-of-way along on both sides of the corridors listed in this Section.

1. Generally, the standards contained in this Division are in addition to the regulations of the underlying zoning districts.
2. Where the provisions of this Division are different from those of the underlying zoning district or other provisions of this UDO on the same point, this Division applies.
3. When this Division is silent with regard to a subject matter; the UDO code applies.

B. Highest Priority Signature Streets.

1. Washington Street from Morthland to Lincolnway;
2. Lincolnway and State Road 130 from west city limits to LaPorte Avenue; and
3. LaPorte Avenue from Lincolnway to east City limits, except parcels that are within the Eastgate Overlay District (see **Division 11.400, Eastgate Overlay District Standards**); and
4. Morgan/Calumet from Lincolnway to north City limits.

C. Local Signature Streets.

1. 700 N from State 149 to State 49;
2. State Route 2 from 150 W to Morthland;
3. Campbell Street from West Street to 700 N;
4. Vale Park Road from State 130 to East City limits;
5. Burlington Beach Road from Calumet to State 49;
6. Calumet from North City limits to 700 N; and
7. Silhavy Road from US 30/Morthland Drive to ~~Calumet~~ North City Limits

D. Regional Signature Streets.

1. US 30/Morthland Drive from Joliet to Porter/LaPorte County line;
2. State 49 from Division to 700 N; and
3. State 149 from State 130 to 700 N

Sec. 11.304 State Route 49 Standards

- A. **Generally.** The standards of this Section apply to private property within the State Route 49 signature overlay district.
- B. **Prohibited Structures.** The following structures are prohibited in the State Route 49 signature overlay district:
1. Billboards; and
 2. Portable flashing lights or illuminated temporary signage.
- C. **Prohibited Uses.** The following uses are prohibited in the State Route 49 signature overlay district, even if otherwise permitted in the underlying zoning district by **Section 2.201, Permitted, Limited, and Special Uses**:
1. Manufactured home park or subdivision;
 2. Multifamily;
 3. Single-family attached;
 4. Institutional residential;
 5. Warehousing and transportation facilities for bottled gas; liquid fertilizer; petroleum, or explosives;
 6. Disposal, including but not limited to automotive salvage recycler, automotive salvage rebuilder, or automotive disposal facility;
 7. Heavy industry that involves manufacture and/or storage of explosives;
 8. Extraction involving mineral extraction, borrow pit, or topsoil removal;
 9. Sewage disposal plant;
 10. Heavy retail, including but not limited to auction sales yard and/or sales barn for livestock;
 11. Vehicle sales, rental, and service;
 12. Light automobile service;
 13. Commercial retail;
 14. Services; and
 15. Shopping center.
- D. **Prohibited Accessory Uses.** No outdoor storage, enclosed storage or refuse (whether or not in containers) or display of merchandise shall be permitted on any lot. All refuse shall be contained completely within the principal or accessory buildings.
- E. **Loading Berths.** Loading berths shall be configured and/or screened so that they are not visible from street level views within the State Road 49 right-of-way.
- F. **Landscaping.**
1. All uses shall provide and maintain a ~~30-foot-wide Class D Bufferyard greenbelt of landscaping and/or plantings along the property line abutting the corridor's right-of-way across the entire front yard setback area~~, except at points of access. Landscaping arrangement and density shall be comparable to **Figure 9.5** of the Growth Management Plan, set out in **Appendix D, Illustrations; Growth Management Plan, Figures 9.0 and 9.5**.
 2. Only the following are permitted in the bufferyard greenbelt: steps, walks, terraces, driveways, access roads that are perpendicular to the greenbelt, and lighting standards. Parking in the greenbelt is prohibited.
 3. Landscaping shall be maintained by the property owner in healthy condition, and shall be pruned to maintain a manicured appearance.
- G. **Parking.** Parking shall be located behind the principal building, with respect to the corridor, wherever practicable.
- H. **Residential Setbacks.**
1. Residential buildings shall be set back 90 feet from the State Route 49 right-of-way.
 2. Parking shall be set back 30 feet from the State Route 49 right-of-way.
- I. **Commercial and Industrial Setbacks.** For all commercial and industrial buildings, the following setbacks apply:

1. ~~Yard Abutting Corridor Front yard:~~

- a. Buildings that are 36 feet or less in height: 90 feet.
- b. Buildings that are more than 36 feet, but less than 40 feet in height: 100 feet.
- c. Buildings that are 40 feet or more in height: 125 feet.
- d. Parking lots: 30 feet.

2. ~~Side yard: 15 feet.~~

3. ~~Rear yard: 30 feet.~~

J. **Commercial and Industrial Lot Dimensions.** The minimum size and dimensions of commercial and industrial lots shall be as follows:

1. Minimum lot size: One acre.
2. Minimum lot width: 160 feet.

K. **Commercial and Industrial Lot Coverage.**

1. Maximum lot coverage: 75 percent.
2. Minimum LSR: 25 percent, with a density and arrangement that is comparable to that shown in **Appendix D, Illustrations; Growth Management Plan, Figures 9.0 and 9.5.**

L. **Building Height.** Buildings shall comply with the standards of Article 3, District Intensity and Bulk Standards with regard to height. However, no building shall exceed four stories or 50 feet in height unless the building:

1. Is sprinkled for fire protection;
2. Complies with the Porter County Airport height restrictions; and
3. Is the subject of a determination of no hazard issued by the Federal Aviation Administration ("FAA") pursuant to 14 CFR Part 77, if applicable.

M. **Access.** Access roads shall be required of all commercial and industrial zoned parcels that front on State Road 49. Access roads may be built in the setback (but not the greenbelt) or rear yard, but shall be continuous from parcel to parcel and shall be built to the standards and specifications of the Standards Manual.

N. **Signage.** Only monument signs with a height of not more than six feet are permitted in the State Road 49 signature overlay district. Mounding and other innovative treatments are especially encouraged in this area. No other sign types, including pole-mounted signs are allowed in the State Road 49 signature overlay district.

Sec. 11.305 US 30 (Morthland Drive) Standards

- A. **Generally.** The standards of this Section apply to private property within the US 30 (Morthland Drive) signature overlay district.
- B. **Prohibited Structures.** The following structures are prohibited in the US 30 (Morthland Drive) signature overlay district:
1. Billboards; and
 2. Portable lashing lights, in lated signage, and air powered signage.
- C. **Prohibited Uses.** The following uses are prohibited in the US 30 (Morthland Drive) signature overlay district, even if otherwise permitted in the underlying zoning district by **Section 2.201, Permitted, Limited, and Special Uses**:
1. Manufactured home park;
 2. Multifamily;
 3. Single-family attached;
 4. Institutional residential;
 5. Warehousing, storage and distribution that involves: bottle gas; liquid fertilizer; petroleum;
 6. Disposal, including but not limited to dump and/or garbage disposal plant, automotive salvage recycler, automotive salvage rebuilder, or automotive disposal facility;
 7. Heavy industry that involves the manufacture and/or storage of explosives;
 8. Extraction involving mineral extraction, borrow pit, or topsoil removal;
 9. Sewage disposal plant; and
 10. Heavy retail, including but not limited to auction sales yard and/or sales barn for livestock.
- D. **Prohibited Accessory Uses.** No outdoor storage, enclosed storage or refuse (whether or not in containers) or display of merchandize shall be permitted on any lot. All refuse shall be contained completely within the principle or accessory buildings.
- E. **Loading Berths.** Loading berths shall be con igured and/or screened so that they are not visible from street level views within the US 30 right-of-way.
- F. **Landscaping.**
1. All uses shall provide and maintain a ~~15-foot-wide Class B Bufferyard greenbelt or Street Bufferyard, as described in Section 10.405 Street Bufferyard Standards, along the property line abutting the corridor's right-of-way, whichever is greater, of landscaping and/or plantings across the entire front yard setback area,~~ except for points of access. Only the following are permitted in the Bufferyard greenbelt: steps, walks, terraces, driveways, access roads, and lighting standards. Parking in the Bufferyard greenbelt is prohibited.
 2. Landscaping shall be maintained by the property owner in healthy condition, and shall be pruned to maintain a manicured appearance.
- G. **Parking.** For all commercial and industrial buildings located East of the intersection of State Road 49 and U.S. 30 (Morthland Drive), parking shall be located behind the principal building with respect to the corridor wherever practicable, but is permitted within the 65 foot setback with an approved parking lot and landscape plan, as shown in **Appendix D, Illustrations; Growth Management Plan, Figures 9.0 and 9.5**. For all commercial buildings located West of the intersection of State Road 49 and U.S. 30 (Morthland Drive), parking shall be located behind principal building with respect to the corridor or on the side of the principal building.
- H. **Residential Setbacks.** Residential buildings shall be set back 65 feet from the US 30 (Morthland Drive) right-of-way.
- I. **Commercial and Industrial Setbacks.** For all commercial and industrial buildings located East of the intersection of State Road 49 and U.S. 30 (Morthland Drive), the following setbacks apply:
1. Front Yard Abutting Corridor yard:
 - a. Buildings that are 36 feet in height or less: 65 feet.
 - b. Buildings that 36 feet or more in height: 75 feet.

c. Parking: 15 feet.

2. ~~Side yard:~~

a. ~~Generally: 10 feet.~~

b. ~~Abutting a parcel with residential zoning: 30 feet.~~

3. ~~Rear yard:~~

a. ~~Generally: 15 feet.~~

b. ~~Abutting a parcel with residential zoning: 30 feet.~~

J. **Commercial Setbacks.** For all commercial buildings located West of the intersection of State Road 49 and U.S. 30 (Morthland Drive), the following setbacks apply:

1. ~~Yard Abutting Corridor Front Yard~~

a. Generally: 15 Feet

2. ~~Side Yard~~

a. ~~Generally: 10 Feet~~

b. ~~Abutting a parcel with residential zoning: 30 Feet~~

3. ~~Rear Yard~~

a. ~~Generally: 15 Feet~~

b. ~~Abutting a parcel with residential zoning: 30 Feet~~

K. **Commercial and Industrial Lot Dimensions.** The minimum size and dimensions of commercial and industrial lots shall be as follows:

1. Minimum lot size: One-half acre, excluding any right-of-way dedication.

2. Minimum lot width: 100 feet.

L. **Commercial and Industrial Lot Coverage.**

1. Maximum lot coverage: 75 percent.

2. Minimum LSR: 25 percent, landscaped in a manner comparable to **Figure 11.303, Prototype Landscaping for Signature Streets.**

M. **Building Height.** Buildings shall comply with the standards of **Article 3, District Intensity and Bulk Standards** with regard to height. However, no building shall exceed three stories or 35 feet in height unless the building is sprinkled for fire protection, and complies with the Porter County Airport height restrictions.

N. **Access.**

1. Left turn access from U.S. 30 should be eliminated, except at signalized intersections, whenever alternative access becomes available.

2. Access roads shall be required of all commercial and industrial zoned parcels that front on U.S. 30 (Morthland Drive). Access roads may be built in the setback (but not the ~~bufferyard greenbelt~~) or rear yard, but shall be continuous from parcel to parcel and shall be built to the standards and specifications of the Standards Manual.

O. **Signage.** Only monument signs with a height of not more than six feet are permitted in the US 30 (Morthland Drive) overlay area. Mounding and other innovative treatments are especially encouraged in this area. No other sign types, including pole-mounted signs are allowed in the US 30 (Morthland Drive) overlay area.

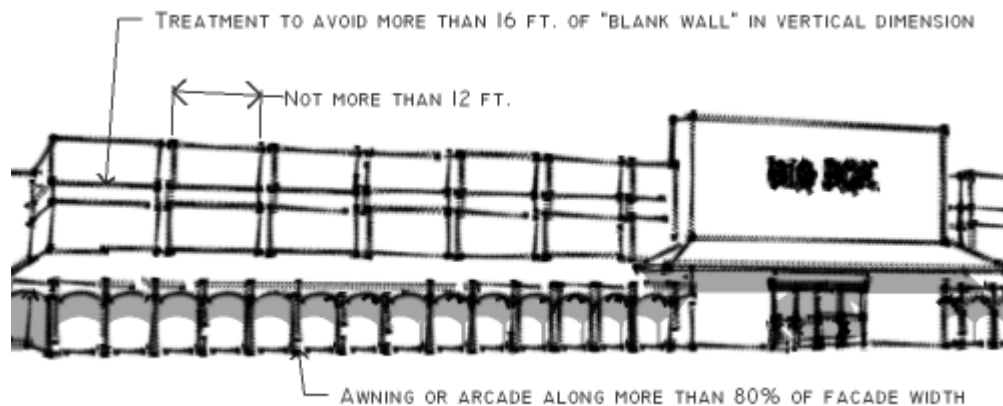
Sec. 11.503 Architectural Features

A. **Primary Facades.** Along primary facades of nonresidential buildings, except industrial buildings:

1. Architectural features that create visual interest along ~~animate~~ the facade shall be provided along its entire length, spaced at intervals of not more than 12 feet in horizontal distance. These features shall include sconce lighting, display windows, entry areas, towers, pilasters, columns, horizontal and vertical offsets, and other elements that create a pattern of light and shadow on the building wall. See Figure 11.503, Big Box Architectural Features.
2. ~~Awnings, arcades, or overhangs that project at least six feet shall be provided along not less than 80 percent of the facade for buildings with footprints of 15,000 square feet and larger, and shall connect to all building entrances along the facade.~~

Figure 11.503:
Big Box Architectural Features

Big box architectural features



B. **Other Facades Facing Streets and Public Parking Areas.** Along secondary facades of nonresidential buildings (facades that face streets or public parking areas, but are not primary facades), except industrial buildings:

1. Architectural features that create visual interest along ~~animate~~ the facade shall be provided along the 40 percent of the facade that is closest to the corner with a primary facade. These features shall be spaced at intervals of not more than 12 feet in horizontal distance. They shall include sconce lighting, display windows, entry areas, towers, pilasters, columns, horizontal and vertical offsets, and other elements that create a pattern of light and shadow on the building wall.
2. ~~Awnings, arcades, or overhangs that project at least six feet shall be provided along not less than 40 percent of the facade, and shall connect to awnings, arcades or overhangs on the primary facade.~~

C. **Blank Walls.** All exterior building elevations that face public streets, customer parking areas, or areas of residential use shall be designed so that there are no areas of blank wall that are more than 16 feet in horizontal or vertical direction. This requirement can be met by employing the use of any architectural feature required by subsection A or B, above, or by material and color variations, decorative cornices, murals, score lines, and graphics.

Sec. 11.505 Building Architecture

1. In all areas of the City, logo buildings and logo building elements are prohibited.

2. Bubble awnings are prohibited.

Sec. 11.506 Transparency

A. **Required Transparency Along Street Frontages.** Along street frontages, buildings shall provide transparency between a height of three feet and eight feet above finished grade in the proportions set out in **Table 11.506, Required Transparency.**

Table 11.506: Required Transparency			
Use of Building	Required Transparency Along Primary Facade	Required Transparency Along Other Street Frontages	Tint
Retail Bays/Buildings Less than 25,000 Square Feet	60%	30%	Not Allowed
Mixed Use Buildings	60%	40%	Not Allowed
Office Buildings	40%	30%	Not Reflective

B. **Window Design.** On nonresidential buildings that are not industrial buildings:

1. Windows shall be recessed at least two inches, and shall include obvious sills, heads, and other forms of framing.
2. Windows shall be transparent, and shall allow views into the building at a depth of not less than four feet.
3. The ratio of width to height of upper-story windows shall be not more than 1:2.

C. **Window Graphics.** On nonresidential buildings that are not industrial buildings:

1. Window Graphics shall have 50% opacity to allow for views compatible to the standards set above.

Sec. 11.507 Building Materials

A. **Generally.** Building materials shall convey an appearance of quality and durability.

B. **Permitted Materials.** Building exteriors shall be constructed from proven, high quality, durable materials, including:

1. Brick
2. Limestone
3. Other native stone
4. Textured colored aggregate concrete masonry units
5. ~~Building integrated photovoltaics~~ Fiber Cement Large Format Panels; Minimum Panel Thickness 5/8"
6. Architectural Composite Metal Siding
7. Glass Curtain Walls; may not be used as the predominant exterior building material

C. **Limited Materials.** The following materials are permitted only as provided herein:

1. ~~Stucco and Drain-able~~ EIFS are permitted as follows:
 - a. On walls of industrial buildings that are set back at least 30 feet from the public right-of-way, provided that Drain-able EIFS occupies not more than 60 percent of the primary facade and the other 40 percent of the primary facade is a combination of windows and a material permitted by subsection B., above.
 - b. On facades of nonresidential buildings, except industrial buildings, that are visible from, and set back less than 30 feet from, a public right-of-way (except alleys), as an accent material only. If used, ~~stucco and Drain-able~~ EIFS shall be detailed to look like traditional wall cornices, soffits, window trim, and similar features. Drain-able EIFS may be installed only above the floor level of the second story, or no less than 12 feet above the grade for one story buildings, and shall not exceed 30 percent of the facade. Drain-able EIFS shall not be installed in any pedestrian contact areas.
 - c. On facades that are not visible from public rights-of-way (except alleys), Drain-able EIFS may be used as a primary material as follows:
 - i. In all cases where Drain-able EIFS is installed in pedestrian or vehicular contact areas, a 20-lb. or greater strength reinforcing mesh shall be installed to a height of no less than 12 feet above the predominant grade.
 - ii. If the abutting property that shares the rear lot line of the parcel or lot proposed for development is residential, or if the lot is a through lot, then a class C bufferyard shall be installed along the lot line.
 - iii. If the abutting property that shares the rear lot line of the parcel or lot proposed for development is nonresidential, then either:
 - a. A class B bufferyard shall be installed along the lot line; or
 - b. The wall of the building that is finished with Drain-able EIFS shall be set back from the lot line not less than 35 feet.

D. Building materials that are not listed in subsection B., above, may be used as predominant materials if it is demonstrated that:

1. They have comparable durability, impact resistance, and quality as the materials listed in subsection B., above; ~~and~~
2. They are part of a building that is designed to achieve a Leadership in Energy and Environmental Design ("LEED") certification, and the materials qualify for LEED points under both the Energy and Atmosphere criteria and the Materials and Resources criteria; ~~and~~
3. The proposed material being used to repair/replace building material on an existing building and in the determination of the Planning Director:
 - a. It would be unreasonable to require the property owner to use only permitted materials;
 - b. The use of the proposed non-permitted material is consistent with the existing building material; and

- c. Use of the proposed non-permitted material would not negatively impact the structural integrity of the existing building.
- d. Nothing in this provision shall preclude the Planning Director from directing the property owner to seek a variance from the Board of Zoning Appeals, even if all conditions apply.

E. Prohibited Materials. The use of the following as predominant exterior building materials shall be prohibited:

1. Pre-fabricated metal siding, except on industrial buildings on walls that do not face rights-of-way.
2. Smooth-faced concrete block, except on industrial buildings on walls that do not face rights-of-way.
3. Vinyl, ~~composite~~ or metal siding
4. Wood or composite wood
5. ~~Glass curtain walls~~ Lap Siding
6. Stucco

Sec. 11.508 Roof Structure and Materials

A. **Roof Lines.** Roof lines of nonresidential buildings, except industrial buildings, shall be designed as follows:

1. Roof lines shall be designed to:
 - a. Break up the apparent mass of the building;
 - b. Highlight individual components of the building;
 - c. Add visual interest to the building; and
 - d. Form a cascade, wherein the highest points of the roof cover the area of the primary use or most significant floor area of the building.
2. ~~All roofs shall include at least two of the following elements:~~
 - a. ~~Eaves that extend not less than three feet, nor greater than eight feet, from the supporting walls.~~
 - b. ~~Sloped roof planes that are dimensioned such that:~~
 - i. ~~The distance from eave to peak does not exceed the average height of the supporting walls; and~~
 - ii. ~~The average pitch is between 6:12 and 12:12.~~
 - c. ~~Multiple roof slope planes.~~
 - d. ~~Raised cornice parapets or towers above all primary building entrances or at highly visible building corners.~~
 - e. ~~A clock or bell tower, cupola, a colonade, or dormers.~~
3. Flat roof systems, except green roof systems, shall be concealed from all ground level views by a parapet wall, sloped roof system or other architectural element (e.g., a tower or variation in building height). ~~All parapet walls shall include three-dimensional cornice treatments of not less than 12 inches in height, with no less than three reliefs.~~
4. Along any building facade that is greater than 80 feet in horizontal dimension, flat roof systems, if used, shall be designed to include substantial elements (e.g., towers, peaked roof structures, or parapet wall treatments) that:
 - a. Vary the apparent building height by at least three feet per 150 feet or portion thereof of horizontal building dimension.
 - b. Are separated by no more than the lesser of:
 - i. 80 feet; or
 - ii. 40 percent of the width of the building facade.
 - c. Are not of equal height, and have a difference in height that is perceptible from street-level views.

B. **Mechanical Equipment.** Rooftop mechanical equipment (e.g., HVAC systems) mounted on a flat roof shall be screened with materials and colors that surround the equipment, and that are consistent with the design of the building. In addition, mechanical equipment shall be screened from all ground level views from adjacent property and rights-of-way by:

1. Parapet walls, designed so that:
 - a. Their average height does not exceed 15 percent of the height of the supporting wall; and
 - b. Their maximum height does not exceed 33 percent of the height of the supporting wall;
2. Hedges installed on a green roof system, provided that the mechanical equipment is set back at least 25 feet from all exterior building walls; or
3. Sloped roof systems or other architectural elements that conceal the flat roof area where the equipment is mounted.

C. **Materials for Sloped Roof Systems.** Sloped roofs shall be composed of traditional materials, natural or simulated, such as slate, wood shakes, concrete tile, dimensional shingles, metal (including copper) standing seam, or metal (including copper) shingles.

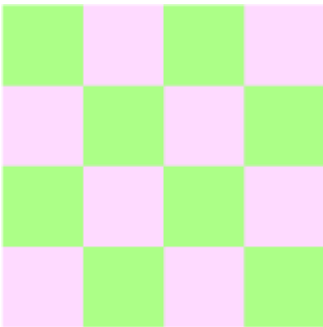
D. **Green Roof Systems.** "Green roof" systems may be used as part of a site's stormwater management system.

Sec. 11.509 Colors

- A. **Predominant Colors.** Predominant colors are those colors that are used principally on building walls.
1. Building colors shall be low re lectance, subtle, neutral, or earth tone colors.
 2. High intensity colors, metallic colors, black, and luorescent colors are prohibited.
- B. **Accent Colors.** Accent colors are those colors that are used on architectural features and fascia.
1. Accent colors shall not be applied to more than 20 percent of the building facade, including the visible area of the roof.
 2. Building trim and accent areas may feature brighter colors, including primary colors. However, brilliant complimentary colors shall not be placed next to each other. See **Figure 11.509, Mixed Brilliant Complimentary Colors.**
 3. Neon tubing, string lights, rope lights, or any unshielded light within public view on a facade or behind exterior glass, shall not be used as an accent for building trim or other accent areas.

Figure 11.509:
Mixed Brilliant Complimentary Colors

Mixed brilliant complimentary colors



Sec. 11.601 Building Articulation and Architectural Features

A. Generally. All new building facades that are visible from a public street, public park, or open space shall be articulated as follows:

1. Upper stories shall be stepped back. Buildings that are four stories in height or taller must step back upper stories by at least 10 feet, beginning at the fourth floor. Stepbacks at the second or third floor that result in the fourth floor being stepped back at least 10 feet from the first floor facade may be used to satisfy this requirement.
2. Horizontal building modulation shall be provided. The maximum width of building facades (measured horizontally along the building exterior) without building modulation shall be a multiple of 22 feet.
3. All buildings shall incorporate elements that divide façade planes and create a visual play of light and shadow. Long, uninterrupted horizontal elements are prohibited. Building articulation shall be accomplished with design elements such as the following, so long as the articulation interval does not exceed 66-feet:
 - a. Repeating distinctive window patterns at intervals less than the articulation interval.
 - b. A porch, patio, deck, or covered entry.
 - c. A balcony or bay window.
 - d. A change in the roof line by alternating parapet heights.
 - e. A change in building materials that corresponds to a change in building plane.
 - f. Lighting fixtures, trellises, trees, or other landscape features.
4. Roof lines shall be modulated. Roofs shall relate to the building façade articulations. For flat roofs or facades with a horizontal eave, fascia, or parapet, the roof line shall be changed so that no un-modulated segment of roof exceeds 44 feet in horizontal dimension. The minimum vertical dimension of the roof line modulation shall be the greater of two feet or 0.1 multiplied by the wall height (measured from finish grade to the top of the wall).
5. Vertical articulation shall be provided. To moderate the vertical scale of buildings, the design shall include techniques to clearly define the building's top, middle and bottom. The following techniques are suggested methods of achieving vertical articulation:
 - a. At the top of the building, strong eave lines, cornice treatments, and horizontal architectural detailing may be used. This treatment shall return into alleyways a minimum of 20 linear feet, and shall be provided for the full length of any facades clearly visible to the public.
 - b. At middle elevations of the building, windows with thoughtful solid-to-void ratios that exhibit window patterns of adjacent traditional buildings, balconies, material changes, railings and similar treatments that unify the building design may be used.
 - c. At the bottom elevation of the building, pedestrian-oriented storefronts, large windows, pedestrian scale building detail, kick plates below windows, sign band awnings, and arcades may be used.
 - d. Where appropriate, the applicant should coordinate the horizontal elements (e.g., cornices, window lines, arcades, etc.) in a pattern and height to reflect similar elements on neighboring buildings that exhibit the City's desired scale and character for the area.
6. The Planning Director may allow other methods that provide architecturally scaled elements not specifically listed in this Section if the applicant demonstrates that they will have comparable visual effect.

B. Ground Floor Level. At the ground floor level, buildings shall have:

1. One or more storefronts with recessed entrances.
2. A horizontal sign band.
3. Seasonal planters/landscaping.

C. Corner Frontages. Within 15 feet of a property line at the intersection of streets, new buildings shall incorporate the following design elements or treatments to the building corner facing the intersection:

1. A corner entrance to a store, courtyard, building lobby, atrium, pedestrian pathway, or pedestrian-oriented space.

2. A corner architectural element such as:

- a. Bay window or turret.
- b. Roof deck or balconies on upper stories.
- c. Building core stepback “notch” or curved façade surfaces.
- d. Special treatment of pedestrian weather protection awning at the corner of the building.
- e. Other similar treatment or element that the Planning Director determines highlights the corner with comparable visual effect.

D. Blank Walls.

1. Blank walls shall not be visible from a street, public park or open space.
2. If a property is redeveloped including improvement totaling more than 50 percent of the assessed value of the property, existing blank walls within 50 feet of and visible from a street, public park or open space, or adjacent lot, shall be treated in one or more of the following ways:
 - a. A vertical trellis in front of at least 50 percent of the wall's horizontal length, with climbing vines or plant materials installed at its base.
 - b. A landscaped planting bed at least eight feet wide, or raised planter bed at least two feet high and three feet wide in front of the wall. Plant materials that will obscure or screen at least 50 percent of the wall's surface within three years shall be planted in the planting bed or raised planter. See **Figure 11.601, Blank Wall Landscaping Treatment**.

Figure 11.601:
Blank Wall Landscaping Treatment



BLANK WALL LANDSCAPING TREATMENT

c. Regular fenestration that is consistent with that of the front facade.

3. Treatment of blank walls is to be proportional to the front facade.

E. Logo Buildings and Building Elements.

1. Prototype design for franchises should use customized components that are consistent with the desired traditional main street character and that reinforce visual consistency with other adjacent buildings.
2. Logo buildings are prohibited.

3. Logo building elements are prohibited.

F. **Temporary Signage.** In the CBD District, banners and/or similar signs of temporary nature are prohibited on the exterior of the building.

Sec. 11.604 Building Materials and Finishes

A. **Generally.** Material finishes shall reflect the early 1900s main street vernacular for building materials for new building construction and buildings constructed before 1930. Generally, facades that reflect the heritage of the City shall be retained. However, facades of vintage buildings may be adapted to contemporary use with compatible materials.

B. Permitted Materials.

1. Building exteriors shall be constructed from proven, high quality, durable materials, including:
 - a. Masonry;
 - b. Brick;
 - c. Architectural pre-cast concrete to emulate coursed stone panels;
 - d. Stone;
 - e. Glass Fiber Reinforced Concrete (GFRC) used for emulating Historic Trim;
 - f. Fiber Cement Large Format Panels used in Conjunction with Historic Trim;
 - i. Minimum Panel Thickness: 5/8"
 - ii. Minimum Exposed Dimension: 2'x8
2. Concrete or concrete blocks (concrete masonry units or "cinder blocks") are permitted, provided that they are finished with one or more of the following:
 - a. Polished aggregate surfaces emulating stone;
 - b. Other masonry types such as brick or tile;
 - c. On facades not facing a public right-of-way, decorative coursing to break up blank wall areas;
 - d. Matching colored mortar (where color is an element of architectural treatment for any of the other listed finishing options).

C. Other Materials.

1. Drain-able Exterior Insulation Finish Systems (EIFS) shall not be applied to more than 15 percent of any facade, and shall not be applied at a height below 12 feet, except as a sign band.
2. Other building materials may be used as predominant materials if it is demonstrated that:
 - a. They have comparable durability, impact resistance, and quality as the materials listed in subsection B;
 - b. They have comparable texture to the materials listed in subsection B;
 - c. They are compatible with the materials used on adjacent buildings; and
 - d. They are part of a building that is designed to achieve a Leadership in Energy and Environmental Design ("LEED") Gold or Platinum rating, and the materials qualify for LEED points under both the Energy and Atmosphere criteria and the Materials and Resources criteria
 - e. Approval has been granted by the Planning Director to continue the use of pre-existing building materials on building additions to match those of pre-existing buildings.

D. Prohibited Materials.

1. The following materials are prohibited:
 - a. Metal or wood siding; Drain-able
 - b. Lap or Drop siding;
 - c. Metal screening;
 - d. Corrugated/Flat Panel Fiberglass sheathing;
 - e. Crushed rock or crushed tumbled glass;
 - f. Plastic;
 - g. Glass Fiber Reinforced Concrete (GFRC); unless used for emulating historic trim
 - h. Vinyl or plywood siding; and

i. Chain link fencing (except for temporary purposes such as a construction site or as a gate for a refuse enclosure).

2. Any building product that covers over historic facades.

Sec. 15.305 Stormwater Management Plans and Permitting Procedures

A. **Conceptual Drainage Plan Review.** In order to establish that an adequate drainage outlet(s) exists for a proposed development seeking Primary Plat approval in accordance with **Division 15.800, Subdivision Plat Procedures**, or Development Plan approval in accordance with **Division 15.400, Procedures and Administration for Development Plan Approval**, from the Plan Commission or Planning Director, respectively, a developer may apply for a conceptual drainage plan review by the City Engineer. As part of the conceptual drainage plan review, a developer shall submit conceptual drainage plans for review by the City Engineer prior to the Plan Commission hearing for review and approval of a Primary Plat or Planning Director approval for a Development Plan. Any preliminary drainage approval by the Plan Commission (for Primary Plats and other Plan Commission approvals) and/or City Engineer (for Development Plans and other administrative approvals) as a result of such a review is based on preliminary data and shall not be construed as a final drainage approval or considered binding on either party.

1. *Data Requirements.* The following is a general listing of minimum data requirements for the review of conceptual drainage plans:
 - a. Two complete sets of conceptual plans showing general project layout, including existing and proposed drainage systems and proposed outlets;
 - b. General description of the existing and proposed drainage systems in narrative form;
 - c. Watershed boundaries on County LIDAR 1-foot topographic mapping;
 - d. Existing watercourse or regulated drains; and
 - e. Letter of Intent (LOI) for obtaining any needed consents, off-site easements, right-of-way, or regulatory permits.

B. Permit Procedures.

1. *Applicability.* This Section applies to all development, or redevelopment of land, that results in land disturbance of one acre or more. Individual lots with land disturbance less than one acre, or individual lots that are developed within a larger permitted project site, should refer to Subsection E, D, *Review of Individual Lots*, below, for plan review requirements and procedures.
2. *Application.* The project site owner shall submit an application for a site permit to the City Engineer. The application will include:
 - a. Draft Notice of Intent letter (NOI);
 - b. Site permit application form;
 - c. Construction plan sheets;
 - d. Stormwater drainage technical report;
 - e. Stormwater pollution prevention plan (SWPPP); and
 - f. Any other necessary support information (see Subsection D, *Information Requirements*, below)
3. *Submission Requirements.* Paper copies of each of the above described application materials must be submitted to the City. Additionally, a digital copy of the construction plans is required in a format accepted by the City Engineer.
4. *Application Completeness.* After the receipt of the application, the applicant will be notified as to whether their application was complete or insufficient, in accordance with **Sec. 15.307, Application Completeness Review**. The applicant will be asked for additional information if the application is insufficient.
5. *Approval or Request for Modification.* Once all comments have been received and the review is complete, the City Engineer will either approve the project or request modifications.
6. *Form and Permit Issuance.* Once the plans are approved, a Construction / Stormwater Pollution Prevention Plan (SWPPP) Technical Review and Comment form and a Site Permit will be issued.
7. *Notice of Intent (NOI).* The project site owner must file a Notice of Intent (NOI) a minimum of 48 hours prior to the commencement of construction activities. The submittal of the NOI must be provided to the City and the Indiana Department of Environmental Management (IDEM). The submittals must include:
 - a. IDEM:

- i. Updated NOI form;
 - ii. Proof of publication;
 - iii. Plan review verification (the Construction/Stormwater Pollution Prevention Plan Technical Review and Comment form); and
 - iv. The applicable fee established by IDEM.
- b. City of Valparaiso:
- i. Copies of the final, approved construction plans;
 - ii. Stormwater drainage technical report;
 - iii. Stormwater pollution prevention plan (SWPPP) for construction sites;
 - iv. Post-construction stormwater pollution prevention plan;
 - v. Updated NOI form;
 - vi. Proof of publication;
 - vii. Copy of Notice of Sufficiency (NOS).
8. *Pre-Construction Meeting*. A pre-construction meeting is required to be held prior to any grading activity to ensure that appropriate perimeter control measures have been implemented on the site and the location of any existing tiles have been properly marked.
9. *Monitoring*. Once construction starts, the project owner shall monitor construction activities and inspect all stormwater pollution prevention measures in compliance with this UDO and the terms and conditions of the approved permit.
10. *As-Built Plans*. Upon completion of construction activities, as-built plans must be submitted to the City prior to release of Occupancy Permit. As-Built survey of individual lots shall include Finish Floor Elevation and certification of lot corners.
11. *Notice of Termination (NOT)*. A Notice of Termination (NOT) shall be sent to the City and IDEM once the construction site has been stabilized and all temporary erosion and sediment control measures have been removed. Permits issued under this scenario will expire five years from the date of issuance. If construction is not completed within five years, the NOI must be resubmitted at least 90 days prior to expiration.

C. Information Requirements.

1. *Exemptions*. Specific projects or activities may be exempt from all or part of the informational requirements listed below. Exemptions are detailed in **Division 7.300, Stormwater Quantity Management**; **Division 7.400, Stormwater Pollution Prevention for Construction**; and **Division 7.500, Stormwater Quality Management for Post-Construction**. If a project or activity is exempt from any or all requirements of this UDO, an application shall be filed listing the exemption criteria met, in lieu of the information requirements listed below. This level of detailed information is not required for individual lots, disturbing or impacting less than one acre of land, or developed within a larger permitted project site. Review and acceptance of such projects is covered under Subsection E, *Review of Individual Lots*.
2. *Secondary Stormwater Plan Submittals*. The different elements of a permit submittal for a Secondary Stormwater Plan approval include:
 - a. Notice of Intent (NOI);
 - b. Proof of publication of a public notice;
 - c. Construction plans;
 - d. Stormwater drainage technical report;
 - e. Stormwater pollution prevention plan (SWPPP) for active construction sites;
 - f. Post-construction stormwater pollution prevention plan; and
 - g. Any other necessary supporting information.
3. *Signed and Sealed*. All plans, reports, calculations, and narratives shall be signed and sealed by a professional engineer or a licensed surveyor, registered in the State of Indiana.
4. *Construction Plans*. Construction plan sheets (not to exceed 24" by 36" in size) and an accompanying narrative report shall describe and depict the existing and proposed conditions. This must be submitted in digital

format acceptable to the City Engineer as well as hard copy. Note that in order to gain an understanding of and to evaluate the relationship between the proposed improvements for a specific project section/phase and the proposed improvements for an overall multi-section (phased) project, the detailed information requested for the first section/phase being permitted must be accompanied by an overall project plan that includes the location, dimensions, and supporting analysis of all detention/retention facilities, primary conveyance facilities, and outlet conditions. Construction plans need to include the following detailed items:

- a. Title sheet which includes location map, vicinity map, operating authority, design company name, developer name, and index of plan sheets.
- b. A copy of a legal boundary survey for the site, performed in accordance with Rule 12, Title 865, Indiana Administrative Code or any applicable and subsequently adopted rule or regulation for the subdivision limits, including all drainage easements and wetlands.
- c. A reduced plat or project site map showing the parcel identification numbers, lot numbers, lot boundaries, easements, and road layout and names. The reduced map must be legible and submitted on a sheet or sheets no larger than 11 inches by 17 inches for all phases or sections of the project site.
- d. An existing project site layout that must include the following information:
 - i. A topographic map of the land to be developed and such adjoining land whose topography may affect the layout or drainage of the development. The contour intervals shall be one foot intervals. All elevations shall be given in either National Geodetic Vertical Datum of 1929 (NGVD) or North American Vertical Datum of 1988 (NAVD). The horizontal datum of the topographic map shall be based on Indiana State Plane Coordinates, NAD83. The map will contain a notation indicating these datum information.
 - a. If the project site is less than or equal to two acres in total land area, the topographic map shall include all topography of land surrounding the site to a distance of at least 100 feet.
 - b. If the project site is greater than two acres in total land area, the topographic map shall include all topography of land surrounding the site to a distance of at least 200 feet.
 - ii. Location, name, and normal water level of all wetlands, lakes, ponds, and water courses on or adjacent to the project site.
 - iii. Location of all existing structures on the project site.
 - iv. One hundred year floodplains, floodway fringes, floodways, and date reference information used to establish such (please note if none exists).
 - v. Identification and delineation of vegetative cover such as grass, weeds, brush, and trees on the project site.
 - vi. Location of storm, sanitary, combined sewer, and septic tank systems and outfalls.
 - vii. Apparent land use of all adjacent properties.
 - viii. Identification and delineation of sensitive areas.
 - ix. The location of regulated drains, farm drains, inlets and outfalls, if any of record, along with recordation number, etc.
 - x. Location of all existing cornerstones within the proposed development and a plan to protect and preserve them.
 - xi. Date topographic survey (field work) was performed.
 - xii. A grading and drainage plan, including the following information:
 - a. Location of all proposed site improvements, including roads, utilities, lot delineation and identification, proposed structures, and common areas, along with finished floor elevations of all living areas;
 - b. One hundred year floodplains, floodway fringes, floodways, and date reference information used to establish such (please note if none exists);
 - c. Delineation of all proposed land disturbing activities, including off-site activities that will provide services to the project site;

- d. Information regarding any off-site borrow, stockpile, or disposal areas that are associated with a project site, and under the control of the project site owner;
- e. Existing and proposed topographic information at a contour interval appropriate to indicate drainage patterns;
- f. Location, size, and dimensions of all existing streams to be maintained and new drainage systems such as culverts, bridges, storm sewers, conveyance channels, and 100-year over low paths/ponding areas shown as hatched areas, along with all associated easements;
- g. Location, size, and dimensions of features such as permanent retention or detention facilities, including natural or constructed wetlands, used for the purpose of stormwater management (include existing retention or detention facilities that will be maintained, enlarged, or otherwise altered and new ponds or basins to be built); and
- h. One or more typical cross-sections of all existing and proposed channels or other open drainage facilities (including existing retention or detention facilities) carried to a point above the 100-year high water and showing the elevation of the existing land and the proposed changes, together with the high water elevations expected from the 100-year storm under the controlled conditions called for by this Ordinance, and the relationship of structures, streets, and other facilities.

xiii. Utility plan sheet(s) showing the location of all proposed utility lines for the project.

xiv. Storm sewer plan/profile sheet(s) showing the elevation, size, length, location of all proposed storm sewers. Existing and proposed ground grades, storm sewer structures elevations, and utility crossings also must be included.

xv. A 24-inch by 36-inch plat (both in hard copy and digital format acceptable to the City Engineer), including the following information:

- a. Legal description;
- b. Cross reference to Rule 12; and
- c. Regulated drain statement and table.

xvi. Any other information required by the Plan Commission and/or City Engineer in order to thoroughly evaluate the submitted material.

5. *Stormwater Drainage Technical Report.* A written stormwater drainage technical report must contain a discussion of the steps taken in the design of the stormwater drainage system. Note that in order to gain an understanding of and to evaluate the relationship between the proposed improvements for a specific project section/phase and the proposed improvements for an overall multi-section (phased) project, the detailed information requested for the first section/phase being permitted must be accompanied by an overall project plan that includes the location, dimensions, and supporting analysis of all detention/retention facilities, primary conveyance facilities, and outlet conditions. The technical report needs to include the following detailed items:

a. A summary report, including the following information:

- i. Description of the nature and purpose of the project.
- ii. The significant drainage problems associated with the project.
- iii. The analysis procedure used to evaluate these problems and to propose solutions.
- iv. Any assumptions or special conditions associated with the use of these procedures, especially the hydrologic or hydraulic methods.
- v. The proposed design of the drainage control system.
- vi. The results of the analysis of the proposed drainage control system showing that it does solve the project's drainage problems. Any hydrologic or hydraulic calculations or modeling results must be adequately cited and described in the summary description. If hydrologic or hydraulic models are used, the input and output files for all necessary runs must be included in the appendices. A map showing any drainage area subdivisions used in the analysis must accompany the report.
- vii. Soil properties, characteristics, limitations, and hazards associated with the project site and the measures that will be integrated into the project to overcome or minimize adverse soil conditions.

- viii. Identification of any other State or Federal water quality permits that are required for construction activities associated with the owner's project site.
- b. A hydrologic/hydraulic analysis, consistent with the methodologies and calculation included in the City's Stormwater Technical Standards Manual, and including the following information:
 - i. A hydraulic report detailing existing and proposed drainage patterns on the subject site. The report shall include a description of present land use and proposed land use. Any off-site drainage entering the site or any downstream restrictions shall be addressed as well. This report should be comprehensive and detail all of the steps the engineer took during the design process.
 - ii. All hydrologic and hydraulic computations shall be included in the submittal. These calculations should include, but are not limited to the following: runoff curve numbers and runoff coefficients, runoff calculations, stage-discharge relationships, times-of-concentration and storage volumes.
 - iii. Copies of all computer runs. These computer runs shall include both the input and the outputs. Electronic copies of the computer runs with input files must also be included.
 - iv. A set of exhibits shall be included showing the drainage sub-areas and a schematic detailing of how the computer models were set up.
 - v. A conclusion which summarizes the hydraulic design and details how this design satisfies this UDO.
 - vi. Signed and certified (stamped) by a Professional Engineer registered in the State of Indiana.
- 6. *Stormwater Pollution Prevention Plan (SWPPP) for Construction Sites.* A stormwater pollution prevention plan (SWPPP) associated with construction activities must be designed to, at least, meet the requirements of this UDO and must include the following:
 - a. Location, dimensions, detailed specifications, and construction details of all temporary and permanent stormwater quality measures.
 - b. Soil map of the predominant soil types, as determined by the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Soil Survey, or as determined by a soil scientist. Hydrologic classification for soils shall be shown when hydrologic methods requiring soils information are used. A soil legend must be included with the soil map.
 - c. 14-Digit Watershed Hydrologic Unit Code.
 - d. An estimate of the peak discharge, based on the 10-year storm 24-hour event, of the project site for post-construction conditions.
 - e. Locations where stormwater may be directly discharged into groundwater, such as abandoned wells or sinkholes (please note if none exists).
 - f. Locations of specific points where stormwater discharge will leave the project site.
 - g. Name of all receiving waters. If the discharge is to a separate municipal storm sewer, identify the name of the municipal operator and the ultimate receiving water.
 - h. Temporary stabilization plans and sequence of implementation.
 - i. Permanent stabilization plans and sequence of implementation.
 - j. Temporary and permanent stabilization plans shall include the following:
 - i. Specifications and application rates for soil amendments and seed mixtures.
 - ii. The type and application rate for anchored mulch.
 - k. General construction sequence of how the project site will be built, including phases of construction and the associated time of year they are expected to be done.
 - l. Construction sequence describing the relationship between implementation of stormwater quality measures and stages of construction activities.
 - m. Location of all soil stockpiles and borrow areas.
 - n. A typical erosion and sediment control plan for individual lot development.
 - o. Self-monitoring program including plan and procedures.
 - p. A description of potential pollutant sources associated with the construction activities, which may reasonably be expected to add a significant amount of pollutants to stormwater discharges.

q. Material handling and storage associated with construction activity shall meet the spill prevention and spill response requirements in 327 IAC 2-6.1.

r. Name, address, telephone number, and list of qualifications of the trained individual in charge of the mandatory stormwater pollution prevention self-monitoring program for the project site.

7. *Post-Construction Stormwater Pollution Prevention Plan (SWPPP)*. The post-construction stormwater pollution prevention plan must include the following information:

a. A description of potential pollutant sources from the proposed land use, which may reasonably be expected to add a significant amount of pollutants to stormwater discharges.

b. Location, dimensions, detailed specifications, and construction details of all post-construction stormwater quality measures.

c. A description of measures that will be installed to control pollutants in stormwater discharges that will occur after construction activities have been completed. Such practices include infiltration of runoff, low reduction by use of open vegetated swales and natural depressions, buffer strip and riparian zone preservation, filter strip creation, minimization of land disturbance and surface imperviousness, maximization of open space, and stormwater retention and detention ponds.

d. A sequence describing when each post-construction stormwater quality measure will be installed.

e. Stormwater quality measures that will remove or minimize pollutants from stormwater run-off.

f. Stormwater quality measures that will be implemented to prevent or minimize adverse impacts to stream and riparian habitat.

g. An operation and maintenance manual for all post-construction stormwater quality measures to facilitate their proper long term function. This operation and maintenance manual shall be made available to future parties who will assume responsibility for the operation and maintenance of the post-construction stormwater quality measures. The manual shall include the following:

i. Contact information for the Best Management Practice (BMP) owner (i.e. name, address, business phone number, cell phone number, pager number, e-mail address, etc.).

ii. A statement that the BMP owner is responsible for all costs associated with maintaining the BMP.

iii. A right-of-entry statement allowing City personnel to inspect and maintain the BMP.

iv. Specific actions to be taken regarding routine maintenance, remedial maintenance of structural components, and sediment removal. Sediment removal procedures shall be explained in both narrative and graphical forms. A tabular schedule should be provided listing all maintenance activities and dates for performing these required maintenance activities.

v. Site drawings showing the location of the BMP and access easement, cross sections of BMP features (i.e. pond, forebay(s), structural components, etc.), and the point of discharge for stormwater treated by the BMP. Additionally, the drawings shall provide dimensional information and indicate where applicable warning signs will be placed around a stormwater quality pond. These drawings need to be submitted both in hard copy and in digital format acceptable to the City Engineer.

D. Review of Individual Lots. For individual lots, or projects disturbing land between 3,000 square feet and one acre, without regard to the minimum lot size of the applicable zoning district, and/or land disturbing activities less than 3,000 square feet but with sites immediately adjacent to a storm sewer inlet, ditch, stream, wetland or other water courses, and any sites which are located on ground with a slope of six percent or greater, a formal review of individual lot/project plan and issuance of a site permit to the lot/project is required. The following information must be submitted to the City Engineer for review and acceptance, by the individual lot operator, whether owning the property or acting as the agent of the property owner, as part of a request for review and issuance of a site permit. In addition, for individual lots that are developed within a larger permitted project, all stormwater management measures necessary to comply with this UDO must be implemented in accordance with permitted plan for the larger project.

1. *Lot Plan*. A lot plan sealed/signed by an Indiana Registered land Surveyor with following requirements:

a. Drainage patterns and swales;

b. Flood zone designation;

c. Proposed or existing structures tied to lot lines to nearest tenth of a foot.

- d. Bearings and distances of lots including: set-back lines, square footage, easements, streets, alleys, sidewalks, building set-back lines, width of lots at building set-back line and lot grades.
- e. Proposed elevations required to nearest tenth [must be in accordance with approved subdivision plan (including Benchmark)] for the following:
 - i. Entry way;
 - ii. Main loor;
 - iii. Top of foundation;
 - iv. Ground grade at each corner of building;
 - v. Ground grade at lot corners;
 - vi. Grade at side yard;
 - vii. Slope of driveway expressed as a percentage; and
 - viii. Elevations of adjacent properties including top inished loor, lot and building corners.

2. *Erosion and Sediment Control Plan*. At a minimum, the plan must include the following measures:

- a. Installation and maintenance of a stable construction site access.
- b. Installation and maintenance of appropriate perimeter erosion and sediment control measures prior to land disturbance.
- c. Minimization of sediment discharge and tracking from the lot.
- d. Clean-up of sediment that is either tracked or washed onto roads. Bulk clearing of sediment shall not include lushing the area with water. Cleared sediment must be redistributed or disposed of in a manner that is in compliance with all applicable statutes and rules.
- e. Adjacent lots disturbed by an individual lot operator must be repaired and stabilized with temporary or permanent surface stabilization.
- f. Self-monitoring program including plan and procedures.

3. *Responsibility of Lot Operator*. The individual lot operator is responsible for installation and maintenance of all erosion and sediment control measures until the site is stabilized.

E. **Changes to Plans**. Any changes or deviations in the detailed plans and speci ications after approval of the applicable site permit shall be iled with, and accepted by, the City Engineer prior to land development involving the change. Copies of the changes, if accepted, shall be attached to the original plans and speci ications.

F. **Certi ication of As-Built Plans**. After completion of construction of the project, a professionally prepared and certi ied 'as-built' set of plans by a Professional Engineer or licensed Land Surveyor registered in the State of Indiana shall be submitted to the City Engineer for review. Additionally, a digital copy of the 'as-built' plans is required in a format accepted by the City Engineer.

1. *As-Built Plans*. These plans shall include all pertinent data relevant to the completed storm drainage system and stormwater management facilities, and shall include:

- a. Pipe size and pipe material;
- b. Invert elevations;
- c. Top rim elevations;
- d. Pipe structure lengths;
- e. BMP types, dimensions, and boundaries/easements;
- f. "As-planted" plans for BMPs, as applicable;
- g. Data and calculations showing detention basin storage volume; and
- h. Data and calculations showing BMP treatment capacity.

2. *Visual Recordings*. To verify that all enclosed drains are functioning properly, visual recordings (via closed circuit television) of such tile drains shall be required, once following the completion of installation (including the installation of all utility mains). These visual recordings will be scheduled by the City Engineer, and paid for by the developer. Notices shall be provided to the City Engineer within 72 hours following the completion of installation.

Sec. 15.805 Secondary Plat Approval Procedures

A. **Generally.** The purpose of the secondary plat approval is to ensure that the recorded plat reflects the approval of the primary plat, including conditions of approval. Secondary plat approval may be granted ~~after the appeal period for the primary plat approval has run, and~~ after approval of construction plans and specifications for the required infrastructure and improvements by the Board of Public Works and Safety. Secondary Plat approval shall be subject to Board of Public Works and Safety approval of the plat and:

- ~~1. Completion and acceptance of all infrastructure and improvements and satisfaction of all conditions set during the approval process; or~~
- ~~2. Approval of surety sufficient to cover the cost of said infrastructure, improvements, and other legal and/or administrative activities necessary to bring the development to full completion and protect the interests of land owners.~~
- ~~3. The streets and other improvements required by this chapter are accepted by the City of Valparaiso Board of Public Works and Safety. Acceptance of said street and improvements is conditional and is based upon a two-year maintenance period which commences with the formal date of said acceptance. A two-year maintenance bond, running to the City of Valparaiso Board of Public Works and Safety shall be written and accepted by the City of Valparaiso Board of Public Works and Safety at such time as the streets and improvements are accepted. The amount of the maintenance bond shall be one-fourth the estimated cost of the street and improvements and shall be approved by the City Engineer. At the end of the two-year period, all of the accepted improvements being in satisfactory condition, the maintenance bond shall be released by the City of Valparaiso Board of Public Works and Safety.~~
- ~~4. A performance bond running to the City of Valparaiso Board of Public Works and Safety is executed by the subdivider and approved by the City of Valparaiso Board of Public Works and Safety. Said performance bond shall be one hundred (100) percent of the estimated cost of all streets and improvements which this chapter requires and which are shown on the approved plans and specifications. The amount of the bond shall be approved by the City Engineer based on costs which are current in the trades for like items of construction and installation. All bonds shall be with a company licensed to do business in the State of Indiana. Performance bonds shall specify that all the improvements will be installed within a period of four (4) years.~~
- ~~5. Acceptable negotiable securities, is posted with the City Clerk in lieu of the performance bond.~~
- ~~6. A combination of the above three (3) alternatives may be employed, provided all improvements are covered in the guarantees.~~

B. **Procedure.** A plat of a subdivision may not be filed with the auditor, and the recorder may not record it, unless it has been granted secondary approval and signed and certified as required by **Section 6.401, Form of Certification and Dedication**. The filing and recording of the plat is without legal effect unless approved by the Plan Commission or Plat Committee.

1. The Plan Commission may grant secondary approval of a plat under this section or may delegate to the Plat Committee or staff the authority to grant such secondary approvals.
2. Secondary approval may be granted after expiration of the time provided for appeal under Division 15.1100, Administrative Appeals.
3. No notice or public hearing is required for secondary approvals.
4. After the plat is approved, all signatures obtained and the plat has been recorded with the Porter County Recorder's office, a clear, reproducible mylar of the recorded plat shall be provided to the Office of City Engineer. A copy of the plat shall also be provided in electronic form. Building permits may not be issued until the plat is received by the Engineer.

C. **Acceptance of Improvements Prior to Secondary Plat Approval.** If the applicant chooses to construct the required improvements prior to approval of the secondary plat, all such construction shall be inspected while in progress by the appropriate City department, and must be approved or accepted upon completion by the Board of Public Works and Safety and/or City Utility. The City Engineer or designee shall provide notice to the Planning Director that said improvements have been accepted and that the Planning Commission may consider secondary plat approval.

- D. **Surety.** An applicant may choose to provide surety in lieu of completing construction prior to recording the final plat. Surety, such as a subdivision bond or irrevocable letter of credit, may be approved as follows:
1. The City Engineer shall review and approve the proposed cost of the improvements and the timing of completion before security may be given pursuant to this subsection.
 2. The Board of Public Works and Safety shall review and approve the amount, form, and duration of the surety.
 3. The City Attorney shall review all security instruments for legal form and legal sufficiency.
 4. Generally, the choice of method is in the applicant's discretion. However, if the Board of Public Works and Safety finds that past activity of the applicant or its development team provides cause to require a certain type of security, then the type of security shall be decided by the Board of Public Works and Safety. If the applicant chooses to file security, then the plat shall not be approved for recording unless the subdivider has done one of the following:
 - a. The applicant has filed with the City Engineer a bond executed by a surety company holding a license to do business in the State of Indiana, and acceptable to the City, in an amount equal to the cost of the improvements required by this Code.
 - b. The applicant has filed an irrevocable letter of credit with the City Engineer. The letter shall:
 - i. State the name of the subdivision; and
 - ii. List the improvements that the applicant will provide. A letter of credit form is provided in the Standards Manual.
 5. The Board of Public Works and safety shall make the determination whether the terms of the surety have been met and/or whether or not the surety may be released or a default claimed.
 6. Any money received from a default claimed on the surety for a development shall be used for improvements and installations and any other legal and/or administrative actions for which the surety was provided. This money may be used for these purposes after any appropriations required by law.
- E. **Extension of Time.** Where good cause exists, the Board of Public Works and Safety may extend the period of time required for completion of improvements and/or may reduce the amount of the surety to recognize work completed and accepted.
- F. **Record Drawings.** Three sets of digital and paper copies of "record" plans and specifications, certified and signed by an engineer or land surveyor registered in the State of Indiana, shall be filed with the City Engineer prior to the acceptance of improvements.
- G. **Performance Guarantees.** The applicant shall guarantee performance of the subdivision improvements for a period of one year through a maintenance surety. Said maintenance surety shall be provided prior to the release of the surety for the subdivision.

Sec. 18.205 Commercial Uses

A. **Agricultural Support and Other Rural Services** means uses that support agricultural uses, including:

1. Farm supply services;
2. Farm equipment dealers;
3. Grain storage; and
4. Large animal or livestock veterinarians.

B. **Alcoholic Beverage Sales** means the retail sale of beer, wine, or other alcoholic beverages for on- or off-premises consumption, but, for the purposes of this UDO, does not include the sale of alcoholic beverages by:

1. A restaurant in which more than 60 percent of the annual gross sales are generated by food, provided that the sale of alcoholic beverages is for on-premises consumption;
2. A retail permittee that complies with Rule 29, Selling of Package Alcoholic Beverages by Retail Permittee, of Title 905 IAC, Alcohol and Tobacco Commission;
3. A grocery store, supermarket, delicatessen which is primarily engaged in the retail sale of a general food line, which may include canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish, and poultry;
4. A convenience store or food mart that is primarily engaged in the retail sale of goods, which may include milk, bread, soda, snacks and the sale of automotive fuels, provided that the sale of alcoholic beverages represents a percentage of annual gross sales of 25 percent or less of all items sold on the premises, excluding gasoline and automotive oil products;
5. A warehouse club, superstore, supercenter, or general merchandise store primarily engaged in the retail sale of a general line of groceries or gourmet foods in combination with general merchandise, which may include apparel, furniture, and appliances;
6. A specialty or gourmet food store primarily engaged in the retail sale of miscellaneous specialty foods not for immediate consumption and not made on the premises, which food items do not include meat, fish, seafood, fruits, vegetables, confections, nuts, popcorn, and baked goods;
7. The sale of alcoholic beverages by a hotel pursuant to a State of Indiana Type 110, 114, 215, or 308 Permit;
8. The sale of alcoholic beverages by a civic center pursuant to a State of Indiana Type 219, 219-1, or 219-2 Permit; and
9. The temporary sale of alcoholic beverages pursuant to a State of Indiana Type 118 Temporary Beer / Wine Permit.

C. **Bed and Breakfast** means a place of lodging that:

1. Provides five or fewer rooms for short-term rental;
2. Is the owner's personal residence; and
3. Is occupied by the owner at the time of room rental.

D. **Commercial Lodging** means places that offer overnight accommodations for short-term rental, including hotels and motels. The phrase "commercial lodging" also includes hotels that offer convention facilities or meeting rooms.

E. **Commercial Retail** means commercial and retail uses that do not include regular outside storage or sales. The phrase "commercial retail" includes uses that are comparable to the following:

1. Furniture and home furnishings stores (NAICS Code 442);
2. Electronics and appliance stores (NAICS Code 443);
3. Paint and wallpaper stores (NAICS Code 44412);
4. Hardware stores (NAICS Code 44413);
5. Food and beverage stores (NAICS Code 445, except 4453);
6. Health and personal care stores (NAICS Code 446);
7. Clothing and clothing accessory stores (NAICS Code 448);

8. Sporting goods, hobby, book, and music stores (NAICS Code 451);
9. General merchandise stores (NAICS Code 452, except 45291); and
10. Miscellaneous store retailers (NAICS Code 453).

F. **Heavy Retail** means retail and/or service activities that have regular outside service or outside storage areas, exceptionally large floor areas, or partially enclosed structures, as listed below:

1. Permanent retail operations that are located outside of enclosed buildings, except nurseries;
2. Home centers (NAICS Code 44411);
3. Lumber and other building materials (NAICS Code 44419);
4. Lawn, garden equipment, supplies stores (NAICS Code 44421);
5. Warehouse clubs and super stores (NAICS Code 45291);
6. Mini warehouses, except those with outside storage; and
7. Recreational equipment rental where the equipment is stored outside.

G. **Light Automobile Service** means:

1. Gasoline service stations, gas convenience marts, and quick service oil, tune-up, brake, and muffler shops in which:
 - a. Repairs are made in fully enclosed bays.
 - b. Repairs are completed in less than two hours.
 - c. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors.
2. A single-bay car wash accessory to a gas convenience mart is included in this definition when the activity constitutes less than 20 percent of total floor area, and is either:
 - a. Integrated into the gas convenience mart building; or
 - b. Is a separate accessory building with comparable design and materials to the gas convenience mart building.
3. Auto malls with a number of the uses, as listed in G.1., where all activities are contained in a single building.

H. **Drive-in Facility** means a facility used by an approved commercial retail or service use to provide service to customers in vehicles who either:

1. Drive up to a window or station; or
2. Drive through the building for purchases.

I. **Mixed Use** means development in which a combination of residential and commercial uses (e.g., residential-over-retail), or several classifications of commercial uses (e.g., of ice and retail), are located on the same parcel proposed for development.

J. **Office** means uses in which professional, outpatient medical, or financial services are provided. The term includes:

1. Accounting, auditing and bookkeeping;
2. Advertising and graphic design;
3. Architectural, engineering, and surveying services;
4. Attorneys and court reporters;
5. Banks, mortgage companies; and financial services;
6. Call centers;
7. Computer programming;
8. Corporate headquarters;
9. Counseling services;
10. Data processing and word processing services;
11. Detective agencies;
12. Government offices;

13. Insurance;
14. Interior design;
15. Medical, dental, and chiropractic of ices;
16. Real estate sales;
17. Research and development that does not include on-site manufacturing;
18. Retail catalog, internet, and telephone order processing, but not warehousing; and
19. Virtual of ice services.

K. **Car Wash** means the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, and light duty trucks. The phrase does not include facilities that are allowed as an accessory use to light automobile service.

L. **Restaurant** means an establishment that serves prepared meals to customers for consumption on-site or off-site, and includes:

1. Full-service restaurants (NAICS Code 7221);
2. Limited-service eating facilities (NAICS Code 7222); and
3. Special foodservices (NAICS Code 7223).

M. **Services** means commercial and personal services, such as:

1. Copy centers;
2. Social assistance;
3. Repair services and shops, except automobile, truck, and heavy equipment repair;
4. Health, exercise, martial arts, yoga, dance, or art studios;
5. Parcel service drop-off locations and mailbox services;
6. Nail salons, beauty and barber shops, skin care, and day spas;
7. Funeral homes;
8. Laundry and dry-cleaning services;

N. **Shopping Center** means a group of retail, personal, or professional service establishments planned, developed, owned, or managed as a unit, with off-street parking provided on the property.

O. **Vehicle Sales, Rental, and Service** means uses that sell, rent and perform service on automobiles, boats, motorcycles, recreational vehicles. The phrase does not include auto body (e.g., collision repair), paint or upholstery services.

P. **Veterinarian** means veterinary clinics and hospitals that provide care for small domestic animals. For the purposes of this UDO, the term does not include large animal and livestock veterinarians, which are classified as agricultural support and other rural services.

Q. **Respite Care Facility** means a facility that provides temporary care or supervision of individuals with developmental disabilities, mental illness or who are elderly which is provided because the individual's family or caregiver is temporarily unable or unavailable to provide needed care.

R. **Art Gallery** means a facility or area that is open to the public and is intended for the display, appraisal, purchase, sale and/ or loan of paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value.

Decision Sight Distance means the distance at which drivers can detect a hazard or a signal in a cluttered roadway environment, recognize it or its potential threat, select an appropriate speed and path, and perform the required action safely and efficiently.

Mural means a painting applied on the side of a building, wall, ground, or structure, that is noncommercial in nature.

Stopping Sight Distance means the distance a vehicle driver needs to be able to see in order to have room to stop before colliding with something in the roadway, such as a pedestrian in a crosswalk, a stopped vehicle, or road debris.

Traffic Impact Study means a study which assesses the adequacy of the existing or future transportation infrastructure to accommodate additional trips generated by a proposed development, redevelopment or land rezoning. The Traffic Impact Study estimates site-generated traffic and assesses its impact on the public street system and on the ultimate development, redevelopment or rezoning. The Traffic Impact Study identifies on-site and off-site improvements that may be needed as a result of development, redevelopment or land rezoning.

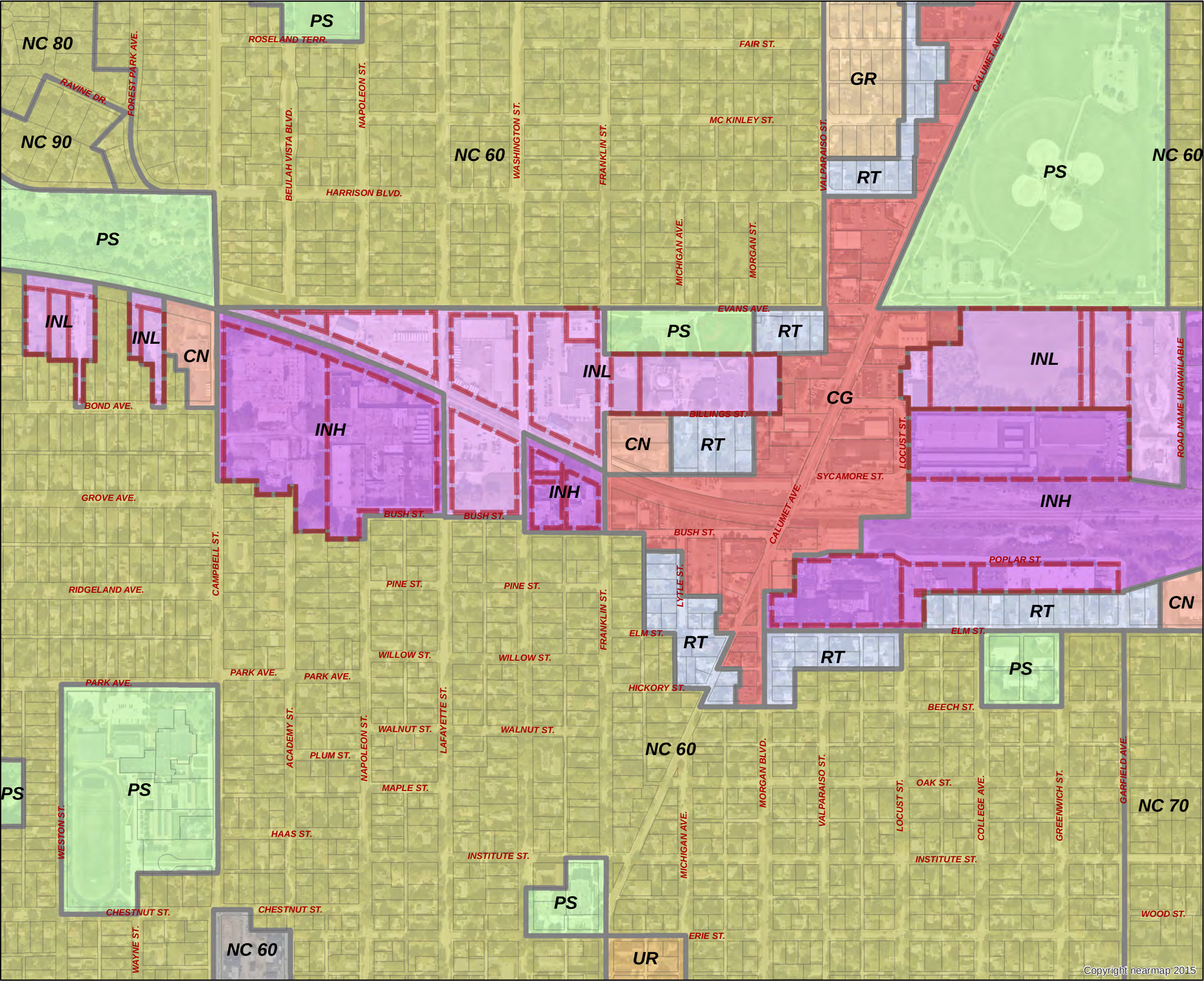
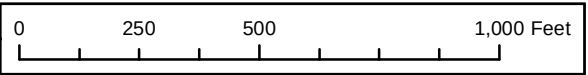
Window means an opening in the wall or roof of a building that is fitted with glass or other transparent material in a frame to admit light or air and to allow people to see out.

Existing Zoning

CASE ZO21-002
Ordinance ##, 2021
Rezoning

Legend

- NC - Neighborhood Conservation
- ER - Estate Residential
- SR - Suburban Residential
- GR- Residential, General
- UR - Residential, Urban
- PS - Public Space
- RU - Rural
- CN - Commercial, Neighborhood
- CG - Commercial, General
- CBD - Central Business District
- CP- Central Place
- RT - Residential Transition
- CA - Campus
- BP - Business Park
- INL - Light Industry
- INH - Heavy Industrial
- PUD - Planned Unit Development
- ### Current Zone District
- ## Proposed Zoning District
- Red dashed outline: Parcels to be Rezoned

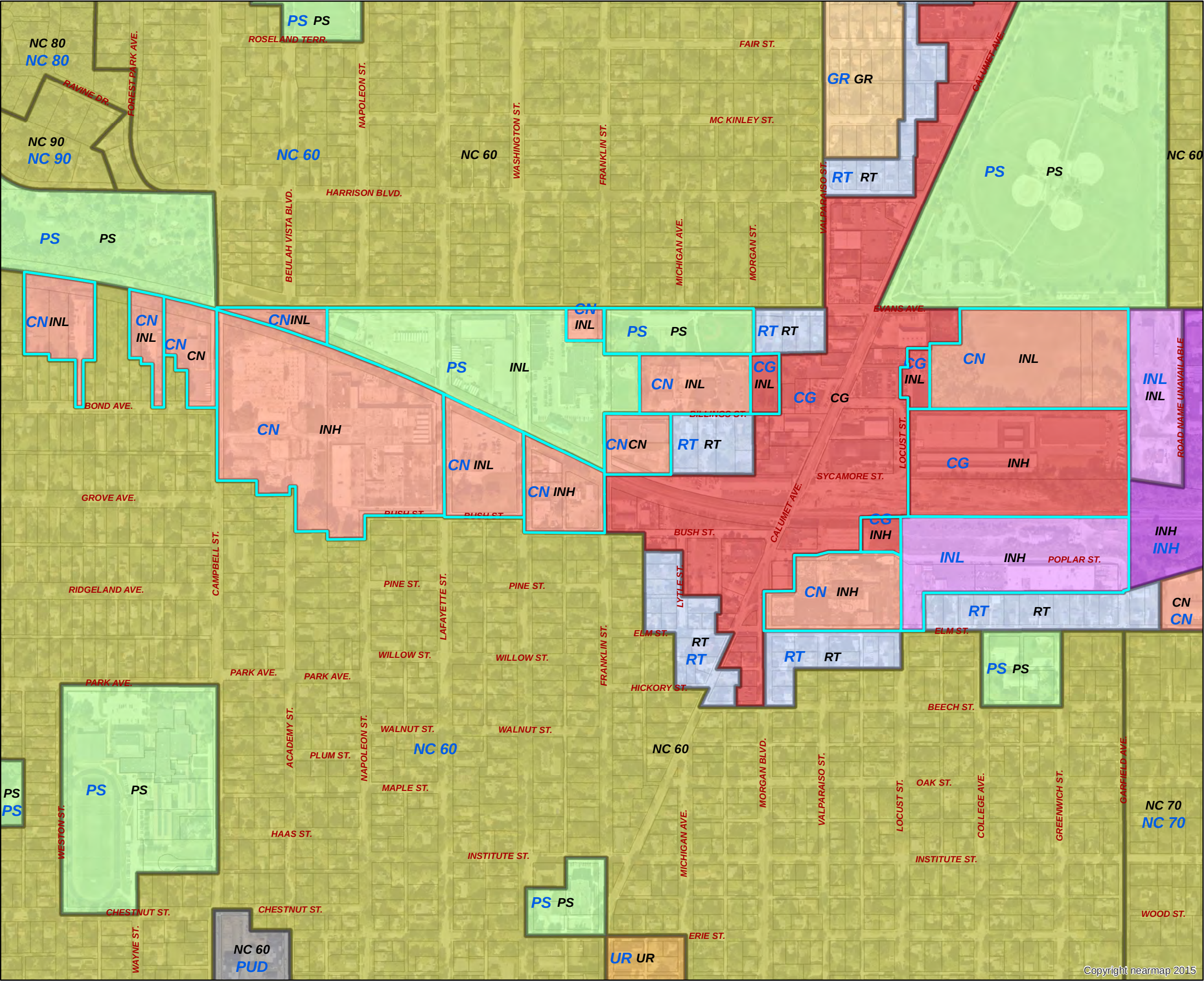


Proposed Zoning

CASE ZO21-002
Ordinance ##, 2021
Rezoning

Legend

- NC - Neighborhood Conservation
- ER - Estate Residential
- SR - Suburban Residential
- GR- Residential, General
- UR - Residential, Urban
- PS - Public Space
- RU - Rural
- CN - Commercial, Neighborhood
- CG - Commercial, General
- CBD - Central Business District
- CP- Central Place
- RT - Residential Transition
- CA - Campus
- BP - Business Park
- INL - Light Industry
- INH - Heavy Industrial
- PUD - Planned Unit Development
- ### Current Zone District
- ## Proposed Zoning District
- Parcels to be Rezoned



PETITION TO VALPARAISO PLAN COMMISSION

This application is being submitted for (Check all that apply):

PUBLIC HEARING REQUIRED:

- ☐ To Rezone a Property from ____ to ____
- ☐ To Approve a Primary Plat
- ☐ To Approve a Planned Unit Development (PUD)
- ☐ To Approve a Major Planned Unit Development (PUD) Amendment
- ☐ To Annex Property into the City of Valparaiso, IN
- ☐ To Vacate Alley
- ☐ To Appeal the Decision of the Plat Committee

NO PUBLIC HEARING REQUIRED:

- ☒ To Approve a Minor Subdivision (Lot Split)
- ☐ To Approve a Final Plat
- ☐ To Approve a Plat Amendment
- ☐ Design/Architectural Approval in _____ Overlay District

For Office Use Only:

Petition #: _____

Application Filing Fee: _____

Date Filed: ____ / ____ / ____

Meeting: ____ / ____ / ____

SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK
Property Address: <u>708 Evans Avenue</u> <u>Valparaiso, IN</u>	Subject Property fronts on the <u>North</u> side between (streets) <u>Calumet Ave & Evans Ave</u> along <u>Evans Ave</u>
Description of Location of Property: _____ <u>Approx. 400ft east of intersection of</u> <u>Calumet Ave & Evans Ave</u>	Zoning District (Current): <u>INL</u> Zoning District (Proposed): <u>CN (by City)</u>
Parcel/Tax Duplicate Number: _____ <u>640924203006.000004; 640924203007.0000</u> <u>04; 640924203008.000004</u>	<u>Zoning of Adjacent Properties:</u> North: <u>PS</u> South: <u>INH</u> East: <u>INL</u> West: <u>CG</u>
Subdivision (If Applicable): <u>N/A</u>	Present Use of Property: <u>Undeveloped</u>
Dimensions of Property: Front: <u>732.11</u> Depth: <u>443</u>	Proposed Use of Property: _____ <u>private club/public assembly</u>
Property Area (sq. ft./acres): <u>331,927 sf/ 7.62 acre</u>	

PETITIONER INFORMATION	
Applicant Name: <u>DVG Team, Inc-Russ Pozen</u>	Address: <u>1155 Troutwine Road</u>
	<u>Crown Point, IN 46307</u>
Phone: <u>219-281-4068</u>	
Email: <u>rpozen@dvgteam.com</u>	
PROPERTY OWNER INFORMATION	
Applicant Name: <u>Boys & Girls Club of GreaterNWI</u>	Address: <u>3691 Willowcreek Road, Suite 200</u>
<u>Ryan Smiley-President</u>	<u>Portage, IN 46368</u>
Phone: <u>219-764-2582</u>	
Email: <u>rsmiley@bgcgreaternwi.org</u>	
LEGAL DESCRIPTION OF SUBJECT PROPERTY: (EXHIBIT NO. ____)	
A Parcel of Land in the Northeast Quarter of Section 24, Township 35 North, Range 6 West of the Second Principal Meridian in Porter County, Indiana, Said Parcel Being All of Block 2 in Council's Addition of 1883 to the Town, Now City of Valparaiso, Excepting Therefrom the Following Two Tracts; The West 94.5 Feet; and the East 132.00 Feet of the West 226.5 Feet of the North 152.00 feet	
PROPOSED VARIANCES OR WAIVERS: (EXHIBIT NO. ____)	

PRIMARY PLAT
BOYS AND GIRLS CLUB ADDITION
TO THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA

PARCEL DESCRIPTION:

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE SECOND PRINCIPAL MERIDIAN IN PORTER COUNTY, INDIANA, SAID PARCEL BEING ALL OF BLOCK 2 IN COUNCIL'S ADDITION OF 1883 TO THE TOWN, NOW CITY OF VALPARAISO, EXCEPTING THEREFROM THE FOLLOWING TWO TRACTS; THE WEST 94.5 FEET; AND THE EAST 132.00 FEET OF THE WEST 226.5 FEET OF THE NORTH 152.00 FEET.

DEED OF DEDICATION:

IT, THE UNDERSIGNED, BOYS & GIRLS CLUB OF GREATER NORTHWEST INDIANA, INC., OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DOES HEREBY CERTIFY THAT IT HAS LAID OFF, PLATTED, AND SUBDIVIDED SAID REAL ESTATE IN ACCORDANCE WITH THE ATTACHED PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS BOYS AND GIRLS CLUB ADDITION. ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. THERE ARE STRIPS OF GROUND OF VARIOUS WIDTHS SHOWN ON THIS PLAT AND LABELED AS EASEMENTS FOR VARIOUS PURPOSES. UTILITY EASEMENTS ARE RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF MAINS, POLES, DUCTS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. DRAINAGE EASEMENTS ARE RESERVED FOR THE USE OF THE CITY, HOMEOWNERS, AND/OR THE PROPERTY OWNERS' ASSOCIATION TO PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF DRAINAGE CONDUITS, SWALES, CHANNELS, OVERFLOWS, DETENTION BASINS, OR OTHER RUNOFF MANAGEMENT FACILITIES. INGRESS/EGRESS EASEMENT ARE HEREBY GRANTED TO THE PUBLIC FOR ACCESS OVER AND ACROSS LOTS 1 AND 2 IN THIS SUBDIVISION IN THE AREAS ON THIS PLAT DESIGNATED AS "INGRESS/EGRESS EASEMENT". NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERCTED OR MAINTAINED UPON SAID EASEMENTS. OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2021.

BOYS & GIRLS CLUB OF GREATER NORTHWEST INDIANA, INC.

SIGNATURE _____

(PRINTED NAME) _____

STATE OF _____)

COUNTY OF _____) SS:

BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, PERSONALLY APPEARED _____ AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING AS THEIR VOLUNTARY ACT AND DEED ON THIS ____ DAY OF _____, 2021.

NOTARY PUBLIC _____

PRINTED NAME _____

MY COMMISSION EXPIRES: _____

PLAN COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY INDIANA CODE 36-7-4, ET SEQ., ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, THIS PLAT WAS GIVEN APPROVAL BY THE CITY AS FOLLOWS:

APPROVED BY THE VALPARAISO PLAN COMMISSION (OR PLAT COMMITTEE) AT A REGULAR MEETING HELD ON _____, 2021.

VALPARAISO PLAN COMMISSION (OR PLAT COMMITTEE)

PRESIDENT _____ PRINTED NAME _____

EXECUTIVE DIRECTOR _____ PRINTED NAME _____

BOARD OF PUBLIC WORKS AND SAFETY CERTIFICATE:

UNDER THE AUTHORITY OF ORDINANCE 18, 1974, AS AMENDED, THE PLAT WAS EXAMINED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO AND WAS APPROVED

THIS ____ DAY OF _____, 2021.

ATTEST:

CLERK TREASURER _____ PRINTED NAME _____

MAYOR _____ PRINTED NAME _____

MEMBER _____ PRINTED NAME _____

MEMBER _____ PRINTED NAME _____

REFERENCE BOUNDARY INFORMATION TO A PLAT OF SURVEY OF THE SUBJECT PARCELS BY RICHARD L HUDSON, PLS NUMBER 880018, RECORDED AS DOCUMENT NUMBER ##### ON MONTH DATE, YEAR IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA. THERE ARE NO SUBSTANTIAL DIFFERENCES WITH THE BOUNDARY OF SAID SURVEY AND THIS PLAT.

SURVEYORS CERTIFICATE:

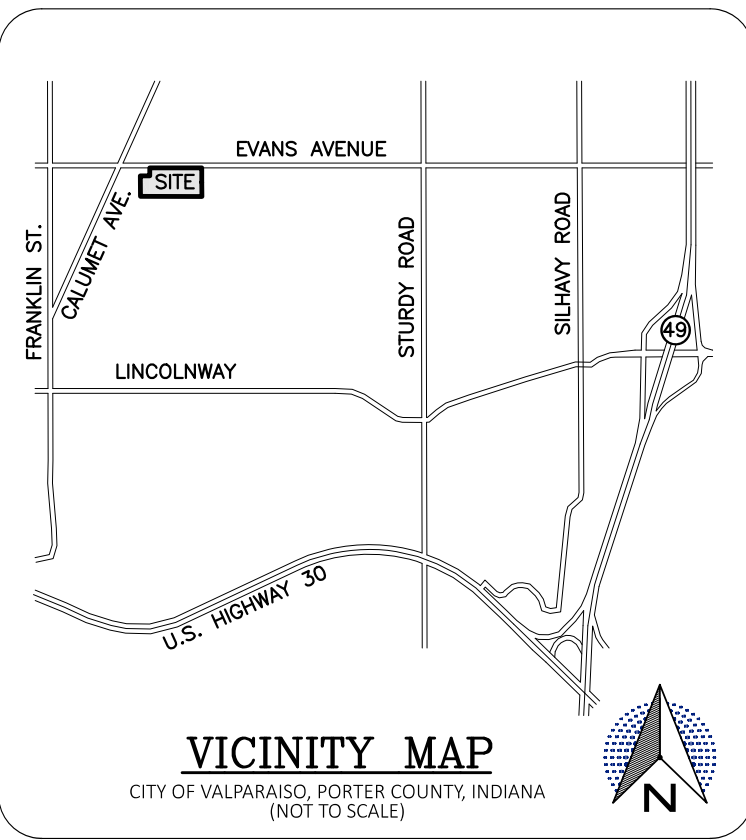
I, GLEN E. BOREN, HEREBY CERTIFY THAT I AM A LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO THE REQUIREMENTS OF THE CITY OF VALPARAISO UNIFIED DEVELOPMENT ORDINANCE, AND THE STANDARDS MANUAL; THAT THE MARKERS AND MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST; AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN.

GLEN E. BOREN
INDIANA PROFESSIONAL SURVEYOR NO. LS20000006

REDACTION STATEMENT:

"I AFFIRM, UNDER PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW."

GLEN E. BOREN



LEGEND	
IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
MAGF	MAG NAIL FOUND
"KEIL"	KEIL AND ASSOCIATES
"HUDSON"	RICHARD L. HUDSON, PLS
IRS	5/8" REBAR SET WITH BLUE ID. CAP STAMPED
DVG	"DVG TEAM INC FIRM NO. 0120"
(D)	- DIMENSION PER DEED
---	EXISTING 1 FOOT CONTOUR LINE

SUBJECT PARCEL INFORMATION:

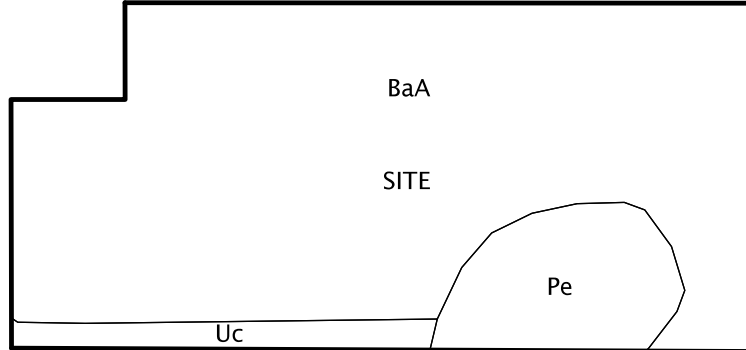
TAX ID'S:
64-09-24-203-006.000-004
64-09-24-203-007.000-004
64-09-24-203-008.000-004

OWNER/DEVELOPER
BOYS & GIRLS CLUB OF GREATER NORTHWEST, INDIANA, INC.

ENGINEER/SURVEYOR
DVG TEAM, INC.
1155 TROUTWINE ROAD
CROWN POINT, INDIANA 46307
219-662-7710

SUBJECT PARCEL AREA

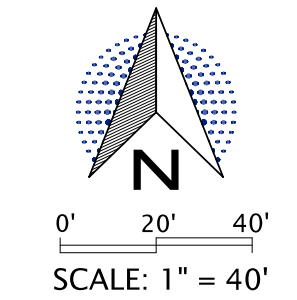
361,374 SQUARE FEET ±
8.30 ACRES ±



SOIL INFORMATION		
TYPE	NAME	% OF SITE
BaA	BLOUNT SILT LOAM, LAKE MICHIGAN LOBE, 0 TO 2 PERCENT SLOPES	83.5%
Pe	PEWAMO SILTY CLAY LOAM	11.8%
Uc	URBAN LAND- BLOUNT COMPLEX	4.7%

SOURCE:
UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
<https://websoilsurvey.nrcs.usda.gov/app/>

BOYS AND GIRLS CLUB ADDITION
PRIMARY PLAT
708 EVANS AVENUE
VALPARAISO, IN 46383



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\20-2300\20-2300 Primary Plat.DWG	
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SECTION 24-35-6	COUNTY, STATE PORTER, IN
JOB NO. S20-2300	