

**ORDINANCE NO. 31, 2012**

**AN ORDINANCE AMENDING ARTICLES, 6 AND 9 OF THE  
UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF VALPARAISO**

WHEREAS, a petition was presented to amend articles 6 and 9 of the Unified Development Ordinance (UDO); and

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

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

WHEREAS, the Plan Commission voted to recommend the approval of proposed amendments by a 8-0 vote on November 13<sup>th</sup>, 2012.


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

1. That the Unified Development Ordinance shall be amended as follows:

SEE ATTACHED EXHIBIT A

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

PASSED by the Common Council of the City of Valparaiso, Indiana, by a 7-0 vote of all members present and voting this 17<sup>th</sup> day of Dec. 2012.

  
\_\_\_\_\_  
Jon Costas, Mayor

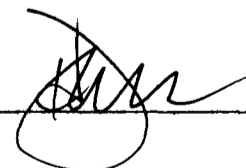
ATTEST:

  
\_\_\_\_\_  
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 17<sup>th</sup> day of Dec., 2012, at 10:00 o'clock p.m.

  
\_\_\_\_\_  
Sharon Swihart, Clerk-Treasurer

This Ordinance approved and signed by me this 17<sup>th</sup> day of Dec., 2012, at \_\_\_\_\_ o'clock p.m.

  
\_\_\_\_\_  
Jon Costas, Mayor

## Proposed UDO Amendments – NOVEMBER 2012

Amend Section 9.201, Table 9.201 to change the parking requirements for Banking Drive-In Facilities from the required 5 staking spaces per window to the required 4 staking spaces as required under Section 9.303 Vehicle Stacking Requirements.

### Sec. 9.201 Parking and Loading Requirements Table

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

Table 9.201: Minimum Parking and Loading Requirements		
Land Use	Parking	Loading
<b>Drive-In Facility</b>		
General (not listed below)	5 spaces / 1,000 sf. + 3 stacking spaces / window	1 space / 25,000 sf.
Restaurants (drive through/drive-in)	20 spaces / 1,000 sf. + 5 stacking spaces/window	1 space / 25,000 sf.
Banking	4.5 spaces / 1,000 sf. + 4 stacking spaces/window	1 space / 25,000 sf.

### Sec. 9.303 Vehicle Stacking Requirements

- A. **Generally.** Uses that include drive-through service shall provide at least:
1. Financial institutions, convenience stores, or pharmacies: Four stacking spaces per window, including the position at the window.
  2. Drive through restaurants:
    - a. Four stacking spaces to each menu board;
    - b. Four stacking spaces between the menu board and the first window (including the position at the first window); and
    - c. Two spaces between the first window and the second window (including the position at the second window).
  3. Dry cleaners: Two stacking spaces, including the position at the window.
- B. **Design.**
1. A stacking space is eight feet wide by 18 feet long, exclusive of access drives and parking aisles.
  2. Stacking lanes shall be clearly marked, and shall not interfere with on-site or off-site traffic circulation.
  3. Stacking areas shall not be located between the facade of a building and the public street upon which the building fronts.
  4. Stacking lanes shall be designed with an abutting eight-foot wide bypass lane.

Amend Section 6.402 Streets and Rights of Way, to correct a typo in subsection B, Perimeter Streets; Dedication, removing the word subdivision. To add subsection C, Permits, to clarify the language referring to the requirements by the UDO for right-of-way dedication, include improvements to roads and streets.

### **Sec. 6.402 Streets and Rights of Way**

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- A. **Within Proposed Development.** Streets, alleys, and other rights-of-way within proposed development shall be appropriately dedicated for the purposes they are intended to serve.
- B. **Perimeter Streets; Dedication.** Where the proposed ~~subdivision~~ development or site abuts upon an existing street or half-street that does not conform to the right-of-way standards of **Division 10.200**, Streets, Sidewalks, and Trails, or to the Official Intermodal Transportation Plan (whichever provides for a wider pavement section), the applicant shall dedicate right-of-way width necessary to achieve the required width.
- C. **Permits** Any permits authorized under this UDO, including but not limited to site permits or building permits, permitting the erection, alteration or relocation of structures and/or other improvements falling under the jurisdiction of this UDO, shall be issued only, if, in addition to satisfying the requirements of this Section and all other requirements of the UDO, the land which lies between the existing right-of-way and the proposed right-of-way, as provided in section 8.203 herein, is dedicated to the City of Valparaiso in care of the Board of Public Works and Safety.

Any permits authorized under this UDO, including but not limited to site permit or Building permit, permitting the erection, alteration or relocation of structures and/or other improvements falling under the jurisdiction of this UDO, shall be issued only, if, in addition to satisfying the requirements of this Section and all other requirements of the UDO, all improvements required to cause the road/street and right-of-way to meet the City standards for that classification of street are included for construction under the permit(s). Said improvements shall include, but not be limited to, pavement, pavement widening, curb and gutter, ADA compliant sidewalk ramps and sidewalks.

Where recommended and approved by the City Engineer, the applicant may provide the approved cost of constructing all or portions of the improvements in lieu of constructing them.

The Board of Public Works and Safety shall have the authority to waive the requirements of this section as it deems appropriate.