

ORDINANCE 24-200~~5~~

AN ORDINANCE TO ADD SECTION 87~~5~~^A AND AMEND SECTION (S)
875, 802 AND 805(1) IN THE ZONING CODE REGARDING
PLANNED UNIT DEVELOPMENT

WHEREAS, the City of Valparaiso and the City Council has determined that from time to time previously approved PUD and Development Plan pursuant to Section 810(5), may desire to change their conceptual design; and

WHEREAS, as such an addition of Section 874. Major Conceptual Changes shall be **added** to the City's existing Zoning ordinances under Article VIII to insure conceptual design changes are receive approval of both the City Council and Plan Commission; and to read as follows:

ADD: Section 874. Major Conceptual Changes

At any time after Common Council approval of a PUD and Development Plan pursuant to Section 810(5), no major conceptual change to the PUD or Plan may be made without the approval of both the Plan Commission and the Common Council. A major conceptual change is defined as any of the following:

- (1) the land area covered by the PUD is changed;
- (2) a use previously not permitted is added;
- (3) 10 % or more of the land area of the PUD is shifted from one zoning classification to another, net of any compensating changes;
- (4) within any residential use classification, the density of the use (as measured by living units) is increased by 10% or more;
- (5) any other specific type of change which the Common Council specifies at the time it approves the PUD and Development Plan; or
- (6) any other change which so modifies the intent or concept of the PUD that the Plan Commission determines requires action by the Common Council.

WHEREAS, the City of Valparaiso has intent to set reasonable and uniform regulations and therefore has reason to amend the following section(s) as noted:

AMEND: Section 875. Add as final sentence: "In addition to any requirement in this section, any change which fits the definition in Section 874 of a "major conceptual change" shall require the approval of the Common Council."

AMEND: Section 802. Add at the beginning of the second paragraph: "Except as provided in Section 874 . . . "

AMEND: Section 805(1). Insert between the words, "/. . . densities, uses," and the words "and infrastructure locations . . ." the words, "a calculation of what percentage of the entire parcel is devoted to each different use classification,"

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Valparaiso that add Section 875 and amend Section (s) 875, 802 and 805(1) in the zoning code regarding the planned unit development. Articles VIII of the Zoning Code of the City of Valparaiso should be and the same is hereby amended to read as outlined in the aforementioned:

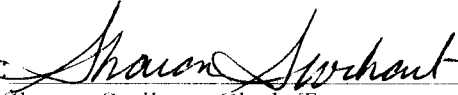
This Ordinance shall be in full force and effect immediately upon its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Valparaiso, Indiana on the 9th day of May, 2005 by a 7-0 vote of 7 members present and voting.



Jon Costas, Mayor

ATTEST



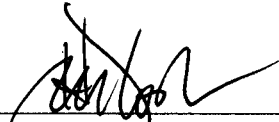
Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 9th day of May 2005, at the hour of 9:45 o'clock P.M.



Sharon Swihart, Clerk-Treasurer

This ordinance approved and signed by me this 9th day of May 2005, at the hour of 9:45 o'clock P.M.



Jon Costas, Mayor