

Article 01

Title, Purpose and Enacting Clause

Section 01.01 Preamble and Enacting Clause

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREAS OF La PORTE COUNTY, INDIANA, AND THE INCORPORATED CITIES OF La PORTE AND MICHIGAN CITY, PROVIDING FOR THE ADMINISTRATION AND PENALTIES FOR VIOLATION THEREOF, AND FOR THE REPEAL OF ALL CONFLICTING ORDINANCES.

Section 01.02 Purpose

THIS ORDINANCE is in accordance with a comprehensive plan, hereafter referred to as the county land development plan and is adopted so that adequate light, air, convenience and access, and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that the local environmental heritage be enhanced and protected; and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted. This Ordinance is made with reasonable regard to existing conditions, the character of buildings erected in each district, the most desirable use for which the land in each district may be adapted and the conservation of property values and the overall quality of life throughout the territory under the jurisdiction of the plan commissions of La Porte County, the City of La Porte and the City of Michigan City, Indiana.

Section 01.03 Scope of Application

- (a) No building or structure, or part thereof, shall hereafter be erected, constructed, renovated, altered or maintained and no new use shall be made of any building or land except in conformity with the provisions of this Ordinance.
- (b) Any building or structure which is erected, repaired, altered, or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this Ordinance and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se and may be abated by order of any court of competent jurisdiction.
- (c) Nothing in this Ordinance shall be deemed to require a change in the plans, construction, or use of any building on which actual construction was lawfully begun prior to the effective date of this Ordinance. The construction shall be completed within two (2) years from the effective date of this Ordinance.
- (d) The provisions of this Article shall apply to all buildings, structures and uses in any zoning district, unless otherwise noted.
- (e) The regulations established by this Ordinance shall be the minimum necessary and shall apply uniformly to each class or kind of structure, land, or use.
- (f) This Ordinance shall apply to all the unincorporated areas of La Porte County and the incorporated municipalities of the city of La Porte and the city of Michigan City and those areas outside the City of La Porte that are included in the La Porte Overlay District provided for in Article 12. Land uses and buildings shall also be subject to all other ordinances of the applicable jurisdiction where the lot is located.

Section 01.04 County Land Development Plan

- (a) The objective of future land use planning and development in La Porte County and the incorporated municipalities of the city of La Porte and the city of Michigan City considers:
- (1) Establishment of land use patterns that are logical, orderly, attractive, and convenient;
 - (2) Protection of private investment;
 - (3) Protection of the environment;
 - (4) Efficient use of public resources; and
 - (5) Improvement of the quality of life.
- (b) The policy for land use planning and development considers:
- (1) Land use patterns involving topographical features and existing land uses;
 - (2) Land use intensity based on current uses and projected demographic trends;
 - (3) Growth patterns and projected land uses and housing needs;
 - (4) Environmental protection, open space, recreational facilities, and agricultural uses; and
 - (5) Existing capital facilities and sound fiscal economic development.
- (c) The policy for the development of public ways, public places and lands, public structures, and public utilities considers:
- (1) Land available by donation or dedication for public use;
 - (2) Development of public ways within large residential development;
 - (3) Location of public structures and utilities for greatest convenience of use and facility; and
 - (4) Current land use of public land
- (d) In planning for development of future growth and use of this plan, the following additional criteria and documents are considered:
- (1) Histories of the county and communities, population, and growth trends, as well as physical site conditions;
 - (2) Population densities and land use;
 - (3) Land utilization, including agriculture, forests, and suburban development trends;
 - (4) Conservation of energy, water, soil, ecological and agricultural and mineral resources; and
 - (5) Survey studies, maps, charts, plats, and other descriptive material of development histories and trends within the county.

(6) Section 01.05 Michigan City North End Plan

Michigan City has forged a collective vision for the redevelopment of the downtown and waterfront and the Michigan City North End Plan. This ordinance is intended to facilitate a transformative change to Michigan City's downtown and waterfront area by doing the following:

- (a) Direct urban growth in the city's North End.
- (b) Develop a fully integrated, mixed-use, pedestrian-oriented and transit-oriented environment.
- (c) Create a synergy of uses to support economic development and redevelopment.
- (d) Minimize traffic congestion, inefficient surface parking lots, infrastructure costs and environmental impacts by promoting compact, mixed-use, pedestrian-friendly and transit-oriented development.
- (e) Regulate building height and placement to achieve appropriate scale along streets and critical mass of development to support transit.
- (f) Establish clear controls on building form and placement to frame a well-defined public realm comprised of human-scale streets, neighborhoods and public spaces, all of which contribute to creating a safe, comfortable and livable environment.
- (g) Advocate the building of civil communities through economically and environmentally sustainable development practices.
- (h) Build and preserve places that are useful, beautiful and meaningful.
- (i) Guide future deliberations and decisions which affect the way people build and live.

Section 01.06 City of La Porte

This ordinance is intended to encourage redevelopment in the city of La Porte to maintain a traditional, mixed-use, pedestrian-oriented community by doing the following:

- (a) Ensure that new development maintains the "traditional" scale and atmosphere that currently exists within the city.
- (b) Ensure that the orientation and placement of buildings on their sites promotes visibility from the street, pedestrian-oriented environment and the connectivity between different land uses.
- (c) Minimize traffic congestion infrastructure costs and environmental impacts by promoting compact, mixed-use, pedestrian-friendly development.
- (d) Capitalize on the opportunity to reconnect the fabric of La Porte by extending the roadway grid system with well-designed streets and sidewalks that promote a walkable community and encourage pedestrian, and bicycle activity, while still accommodating automobiles, and parking.
- (e) Capitalize on the waterfront and bring new meaning and identity to La Porte.
- (f) Create a synergy of uses to support economic development and redevelopment.