



**To:** Members of the Town Council

**From:** Dustin Anderson, Town Manager  
Tom Vander Woude, Planning Director

**Date:** December 18, 2019

**Re:** Approval of Ordinance 1788: An Ordinance repealing the Munster zoning ordinance, including amendments and zone maps, and adopting a replacement zoning ordinance, including text and zone map, for the Town of Munster.

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The purpose of this memo is to request Town Council approval of Ordinance 1788: Repealing the Munster zoning ordinance, including amendments and zone maps, and adopting a replacement zoning ordinance, including text and zone map, for the Town of Munster. Ordinance 1788 had first reading at the last regular meeting held on December 2, 2019.

## **Background**

In 2018, the Town engaged the services of Town Planning and Urban Design Collaborative (TPUDC), a consultant firm with experience developing form-based zoning codes to draft a new zoning ordinance for Munster. Throughout 2018, TPUDC and Town staff held a series of public involvement events to determine whether the policies of the 2010 comprehensive plan still represented the desires of businesses and residents and to gain additional input about the future of the Town of Munster. The information gathered at those events was summarized in the “Planapalooza Report” which can be accessed online here: [https://www.munster.org/egov/documents/1538166714\\_27152.pdf](https://www.munster.org/egov/documents/1538166714_27152.pdf).

Following the major public involvement events, TPUDC and Town staff worked together to draft the new code. A series of internal reviews and revisions were completed, and two public workshops were held with the Plan Commission. A public draft of the code was released on October 15, 2019 and a public draft presentation meeting was held at the Centennial Park Clubhouse on October 30, 2019. The slide deck for that presentation can be viewed here [https://www.munster.org/egov/documents/1572538729\\_04812.pdf](https://www.munster.org/egov/documents/1572538729_04812.pdf). During this time, a special email address was set up to receive comments on the draft.

The revised document, the Adoption Draft, was presented to the Plan Commission at a public hearing on November 26, 2019. The Plan Commission discussed the ordinance and voted 5 to 0 to forward a favorable recommendation to the Town Council to approve.

## **Analysis**

The proposed code is a wholesale replacement of the existing code and the changes are too numerous to list in this memo. The following is a summary of the major changes.

### **1. Reorganization.**

- a. Our current code has over the years become disorganized with standards and procedures comingled in various areas. The new code is reorganized to consolidate the development standards by character district and to more clearly delineate procedures.
- b. New graphics are included to make standards more understandable.

**2. Single Family Residential**

- a. The standards and locations of single-family residential districts are not changed, however, they are reorganized and illustrated with graphics.

**3. Remove Outdated Districts.**

- a. The Shopping Center District was intended to regulate large integrated shopping centers. These districts now primarily contain medical uses. The district has been completely removed from the zoning map and code.
- b. The Office Park District was intended to regulate campus-like office parks surrounding a golf course, pedestrian path or other permitted recreational area. At one time, this zoning district included a significant portion of the southwest corner of Town, but much of that land has been rezoned residential. Only the extreme southwest corner of Town is zoned Office Park and given the proximity to the planned NICTD station, a mixed-use zoning designation is more appropriate. The district has been completely removed from the zoning map and code.

**4. Establish New Mixed-Use Districts.**

- a. Existing C-1 districts have been revised to allow for mixed-use development by right. This means that multi-family residential uses will be allowed by right above the ground floors of commercial buildings. The categories include CD-4.A, CD-4.B, and CD-5.

**5. Eliminate Obsolete PUD Districts.**

- a. Planned Unit Development Districts that were loosely defined or no longer needed because the existing buildings comply with the standards were eliminated.

**6. Created a Civic Zone.**

- a. The new civic zone category establishes specific standards for civic buildings and lots such as Town facilities, churches, and schools.

**7. Building and Lot Plans and Standards.**

- a. New standards related to building materials and architecture have been included for the character districts. The proposed standards are simple but intended to produce a consistently good building form.
- b. The primary change to lot standards relates to the location of parking within the lot. In all character districts, parking is required to be screened from the public view by either being located to the rear of a building or to the side of a building and set back 20 feet from the façade and screened by a fence, wall, or hedge.

**8. Development Parcel Plan Standards.**

- a. Development parcel plans and standards have been included to address large scale development plans and provide consistency in thoroughfare and public space design.

**9. Revised Sign Standards.**

- a. After using two revisions to the sign code since 2016, staff has developed a simple, easier to use sign code that maintains high standards for materials but provides additional flexibility in number of signs, location, and size.

**10. Revised Administrative Procedures.**

- a. Revised procedures incorporate the recently enacted Site Plan Review Committee process.
- b. Submittal procedures spell out in ordinance the required submittals and timelines for various approvals.
- c. References to objective standards in the approval processes creates predictability for developers and business owners.
- d. Flow charts provide a graphic description of processes.

This code has been reviewed and scrutinized, but it's a living document and is subject to revision and change. During the development of the code, staff made every effort to anticipate various development scenarios and incorporate standards to address them. As we implement the code, though, we also anticipate that we will encounter situations that will be unique and unexpected, which will require us to revisit and revise the code. We also anticipate completing additional plans and studies that may generate new ideas about preferred development types. In those instances, too, we will review the code and revise if necessary.

### **Approval Process**

The Town Council may adopt, reject, or amend the attached proposal. If the Town Council votes to reject or amend the proposal it is remanded back down to the Plan Commission. At that time the Plan Commission may approve or disapprove of the amendment or rejection. If the Plan Commission approves of the Council's action, the Council's action stands. If the Plan Commission disapproves of the Council's action, the Council must take it up again and confirm their original decision by vote.

### **Attachments:**

1. Ordinance No. 1788 *An Ordinance Repealing the Munster zoning ordinance, including amendments and zone maps, and adopting a replacement zoning ordinance, including text and zone map, for the Town of Munster*
2. Plan Commission certification of recommendation to the Town Council with findings of fact
3. Full text of Munster Zoning Ordinance

### **Recommendation**

Staff believes that the attached zoning code accurately implements the Munster 2010 Comprehensive Plan, reflects the feedback from residents, businesses, and the Plan Commission, and represents a significant step forward in the development of the community.

Staff's recommendation:

**By motion and roll call vote, adopt Ordinance 1788 on second reading as presented.**