

AN ORDINANCE OF THE BURNS HARBOR
TOWN COUNCIL

AMENDING THE TEXT OF ZONING
ORDINANCE CONCERNING SURFACE
PARKING WITHIN THE TOWN OF
BURNS HARBOR, INDIANA.

WHEREAS, the Burns Harbor Town Council has adopted a Zoning Ordinance codified as Chapter 15 of the Town Code of Burns Harbor, Indiana; and

WHEREAS, the Burns Harbor Advisory Plan Commission has initiated certain amendments to the text of the Zoning Ordinance in order to better regulate Surface Parking by adding definitions to distinguish between different types of Motor Vehicles and amending the Zoning Form & Function Table to include Commercial Surface Parking; and

WHEREAS, notice has been given in accordance with Indiana Code of all proceedings concerning these text amendments; and

WHEREAS, a public hearing has been held before the Burns Harbor Advisory Plan Commission and said Commission has paid reasonable regard, in preparing and considering the proposal, to the factors set forth in I.C. 36-7-4-603, including the Comprehensive Plan; and

WHEREAS, the Commission now certifies its proposal to amend the text portions of its Zoning Ordinance to the Burns Harbor Town Council; and

WHEREAS, the Burns Harbor Town Council concurs with its Advisory Plan Commission and accepts this proposal;

NOW THEREFORE, be it and it is hereby ordained by the Burns Harbor Town Council as follows:

Section 1. That Section 15.2 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be amended as follows:

15-2-2 Definitions. 46. COMMERCIAL MOTOR VEHICLE: a vehicle that has a gross vehicle weight rating of at least 26,001 pounds, is designed to transport 16 or more passengers including the driver, or similar vehicle with two (2) or more rear axles; or any size vehicle carrying hazardous materials which requires placarding.

Section 2. That section 15.2 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be further amended by the addition of the following definition:

15-2-2 Definitions. 48. COMMERCIAL SURFACE PARKING: an off-street, ground level, permanently paved open area that provides temporary storage for commercial motor vehicles other than for expeditious delivery or pickup of materials or for construction use.

Section 3. That Section 15.2 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be further amended by the addition of the following definition:

15-2-2 Definitions. 130. MOTOR VEHICLE: A vehicle that is self-propelled including automobiles, trucks, motorcycles, snowmobiles, recreational vehicles and like devices which have a gross vehicle weight rating of 26,000 pounds or less

Section 4. That Section 15.2 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be further amended by the addition of the following definition:

15-2-2 Definitions. 145. Off-Street: located outside of a street right-of-way.

Section 5. That Section 15.2 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be further amended as follows:

15-2-2 Definitions. 212. VEHICLE:
Boats and watercraft (motorized and non-motorized)

Light: Cars and trucks with single rear axles and single rear wheels with a gross vehicle weight rating of 8,000 pounds or less, including motorcycles and scooters.

Medium: Trucks and similar vehicles, other than truck tractors, with single rear axles and dual rear wheels with a gross vehicle weight rating that does not exceed 26,000 pounds

Heavy: Trucks, including truck tractors, and similar Vehicles with two or more rear axles. Any truck exceeding a gross vehicle weight rating of 26,000 pounds or any truck-tractor or semitrailer.

Section 6. That Section 15.2 of Chapter 15 of

Section 6. That Section 15.2 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be further amended by re-numbering all of the definitions in Section 15.2 to reflect the changes made in this Proposal. Section 7. That Section 15.5 of Chapter 15 of the Town Code of the Town of Burns Harbor shall be amended as follows:

15.5 Districts. Table 5-2 Zoning Form & Function Table - f. CIVIC SUPPORT, add Surface Parking, Commercial. Permitted only in Special Use District (SD). Neither Permitted nor a Special Exception in ROS, R, RC1, RC2, DD, or BP.

Section 8. This Ordinance shall be effective upon its adoption and publication.

All of which is ADOPTED this 13th day of April, 2016.

BURNS HARBOR TOWN COUNCIL

Raymond Poparad, President

Eric Hull, Vice -President

Toni Biancardi

Andrew Bozak

Marcus Rogala

ATTEST:

Jane Jordan, Clerk-Treasurer

4/18/16 - hspaxlp