

THE PLAN: STRATEGIC GOALS AND OBJECTIVES

POPULATION STRATEGY

GOAL:

Plan for population growth that occurs in ways and patterns that maintain the quality of life for current residents and new ones and that occurs in patterns and locations in which public services can be provided cost effectively

OBJECTIVES

1. Plan for growth based on the blended regional model and not on the current Indiana University projections
2. Seek updated population projections from Indiana University
3. Monitor annual population estimates and housing data against trends, to adjust planning scenarios if population change occurs more rapidly or more slowly than projected
4. Use the Plan and its background information to guide the patterns and locations of growth

RELATIONSHIPS TO OTHER GOALS:

- a. Quality of Life will be critical both to growth in population and in the Economic Base
- b. Unplanned population growth may threaten Environmental Resources that are important to Quality of Life as well as to the health of residents and others
- c. Population growth will require expansions in Transportation and Public Utilities Systems

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Plan coordination
- b. Adequate Public Facilities Program;
- c. General Zoning update
- d. Update Subdivision Ordinances
- e. Capital Improvements Programs
- f. Targeted Infrastructure Investment

ECONOMIC BASE STRATEGY

GOAL:

Diversification of the countywide economic base by building on the current base of agriculture, manufacturing and tourism

OBJECTIVES:

1. Agriculture. Keep agriculture and/or forestry economically and practically viable by protecting them from unnecessary encroachment of competing land uses (see separate policy)
2. Agriculture. Support efforts to develop specialized and value-added agriculture within the County (see separate policy)
3. Agriculture. Plan for appropriate locations for animal agriculture that minimize conflicts with other uses (see separate policy)

4. Tourism. In concert with regional interests and the expanded Marquette Plan, protect the lake shore as a visual and natural resource that can be enjoyed by residents, seasonal residents and visitors (see separate policy)
5. Tourism. In concert with regional interests, protect the Indiana Dunes and the sensitive ecosystems that feed into it, recognizing that this area is a major economic and environmental resource that attracts visitors to the County (see separate policy)
6. Manufacturing. Plan reasonable areas for continued and expanded manufacturing uses, with good proximity to transportation routes
7. Logistics. Consider the implications of the County's strategic location for logistics, transportation and warehousing; to the extent that such activities expand in the County, they should be planned and coordinated with infrastructure investment.

RELATIONSHIPS TO OTHER GOALS:

- a. Quality of Life can significantly influence Economic Development
- b. An efficient Transportation System is important to Economic Development
- c. Agriculture is a vital Economic as well as a Natural Resource, and its protection and preservation are important

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Plan coordination
- b. General Zoning Update
- c. Land Acquisition Programs
- d. Conservation Easement Programs
- e. Overlay Zoning
- f. Targeted Infrastructure Investment

REDEVELOPMENT AND INFILL STRATEGY

GOAL:

Encourage full use of land in established communities

OBJECTIVES:

1. Eliminate unintended regulatory impediments to residential and commercial infill development that is consistent with established neighborhood patterns and character
2. Where practical, enter into public-private partnerships to facilitate major redevelopment projects
3. In Michigan City and City of La Porte, plan actively for downtown public parking to serve growing needs resulting from infill and redevelopment projects
4. In communities along the lakeshore, faced with tear-downs and intense infill, implement neighborhood preservation zoning in selected areas, to preserve traditional neighborhoods
5. Plan for brownfields, setting priorities for clean up based on a variety of factors that include the desirability and feasibility of redeveloping particular sites

RELATIONSHIPS TO OTHER GOALS:

- a. Redevelopment and Infill reduce the pressure on agricultural land conversion, thus contributing to efforts to preserve the County's Agricultural Economy and related Environmental Resources
- b. Redevelopment and Infill typically uses Existing Infrastructure, thus reducing the need for new capital investment and creating economies of scale in operations

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. General Zoning Update (see Revitalization Subcategory)
- b. Plan Coordination;
- c. Community Development
- d. Targeted Infrastructure Investment

COMPACT, CONTIGUOUS DEVELOPMENT STRATEGY

GOAL:

Encourage the majority of new development to take place in and near existing cities and towns, where residents will have easy access to a range of public and private services

OBJECTIVES:

1. In urbanizing areas, create walkable, user-friendly neighborhoods, in which residents have the choice to walk to schools, nearby institutions, and at least basic commercial services
2. Connect new residential developments with more than 25 units to existing public wastewater systems or design them for connections to planned systems
3. Locate new residential developments with more than 50 units in areas where residents will be able to walk along sidewalks or paths to reach at least two of the following within 15 minutes: a recreational facility; a restaurant; a grocery store; general retail uses; and/or a railroad stop
4. Locate new commercial developments with 20,000 or more square feet of building space (other than agricultural service businesses) along major thoroughfares in areas planned for commercial uses; where such a development has more than 50,000 square feet of space, the primary access should be from one or more collector roads, connected to the major thoroughfare system
5. In areas planned for public sewer systems, establish minimum development densities, as well as maximum densities
6. Ensure that ordinances provide opportunities for mixed-use development in appropriate areas
7. Work with the school systems to plan future locations of schools in areas anticipated for future growth
8. Plan for a variety of housing types, so that it is possible for the private sector and interested nonprofit and public groups to provide housing that is affordable for groups in the population who have limited choices
9. Amend zoning ordinances to discourage continued strip commercial development along the County's major corridors – particularly U.S. 20, U.S. 30, U.S. 421 and S.R. 2

RELATIONSHIPS TO OTHER GOALS:

- a. Compact, Contiguous Development typically places residents closer to a variety of public and private services that contribute to Quality of Life
- b. It is generally easier and less expensive to provide Public Utilities and Transportation to Compact, Contiguous Development than to scattered or low-density development
- c. Compact, Contiguous Development reduces development pressure on Open Spaces, Agricultural Lands and Environmental Resources

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. General Zoning Update
- b. Update Subdivision Regulations
- c. Adequate Public Facilities Program
- d. Limitations on Subdivisions with Septic Tanks
- e. Minimum Density Standards

ENVIRONMENTAL RESOURCES: LAND STRATEGY

GOAL:

Protect the County's major natural resources and agricultural lands, recognizing their long-term ecological value, as well as their economic and aesthetic value to the region

OBJECTIVES:

1. Protect agricultural lands in areas where agriculture remains economically, ecologically and practically viable
2. Protect forest lands in areas where forestry remains economically, ecologically and practically viable
3. Work to implement the Marquette Plan to protect the Michigan lakeshore and the Indiana Dunes as amenities to be enjoyed by current and future residents and visitors
4. Seek local, state and federal funding, partnerships with land trusts and other organizations, and partnerships with landowners to protect significant natural areas and other environmental resources
5. Identify and work to protect, through public acquisition if necessary, remnant wetlands remaining in the County
6. As the County and the cities and towns continue to develop parks and begin to implement a trail system, seek to connect open spaces along ecological corridors

RELATIONSHIPS TO OTHER GOALS:

- a. Many people perceive that the protection of Agricultural Lands, Environmentally Sensitive or Scenic Open Space and other Natural Resources are important to Quality of Life
- b. Agricultural Lands, Environmentally Sensitive or Scenic Open Space and other Natural Resources are also major draws for tourism, which contributes significantly to Economic Development objectives
- c. Redevelopment and Infill and Compact, Contiguous Development reduce development pressure on Agricultural Lands, Environmentally Sensitive or Scenic Open Space and other Natural Resources

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Plan Coordination
- b. General Zoning Update (County)
- c. Update Subdivision Regulations
- d. Land Acquisition Programs
- e. Targeted Infrastructure Investment
- f. Conservation Easement Programs

ENVIRONMENTAL RESOURCES: WATER STRATEGY

GOAL:

Protect and enhance water quality in all watersheds in the County

OBJECTIVES:

1. Establish setbacks and buffers for new developments from identified streams, lakes and wetlands
2. Develop cooperative projects, including participation in federal funding, to encourage farmers to establish stream buffers along identified streams
3. Implement urban and rural nonpoint source practices in to the extent practicable to achieve and maintain applicable water quality standards and improve quality of life

4. Implement agricultural nonpoint source practices in northwest Indiana to the extent practicable to achieve and maintain applicable water quality standards and improve quality of life
5. Ensure the protection of northwest Indiana's waterbodies from further impacts of hydromodification and wetland loss to meet and maintain applicable water quality standards

Last three objectives taken from "Watershed Management Framework Development Plan for Lake, Porter, and LaPorte counties in Northwest Indiana," Northwestern Indiana Regional Planning Commission, October 2005.

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Plan Coordination
- b. General Zoning Update
- c. Cluster Zoning
- d. Overlay Zoning
- e. Update Subdivision Regulations
- f. Conservation Easement Programs
- g. Community Development
- h. Targeted Infrastructure Investments
- i. Land Acquisition Programs

TRANSPORTATION STRATEGY

GOAL:

Expand and improve the County road system and connections to rail and Lake Michigan to form a transportation network that provides for the efficient movement of goods and people within the County and the rest of the state and nation

OBJECTIVES:

1. Plan and develop transportation systems that facilitate the movement of people and goods within the County, as well as through it
2. Cooperate with INDOT for the orderly expansion of the system of major thoroughfares in the County
3. Create pedestrian and automobile linkages among neighborhoods and between neighborhoods and schools, to reduce the need for residents to use major thoroughfares for short, local trips
4. Establish additional collector road corridors to facilitate better continuity among development
5. Establish connectivity between newly developed adjoining neighborhoods, without reliance on major thoroughfares
6. Limit strip residential and commercial development along County roads that provide access between agricultural operations and to avoid impairment of the operating level of these roads
7. Consider multi-modal transportation connections in establishing priorities for improvements to major thoroughfares
8. Seek opportunities to connect the County's transportation network with passenger rail service
9. Enhance and protect the major entrance corridors into the County and cities, particularly along U.S. 35, U.S. 20, and S.R. 2

RELATIONSHIPS TO OTHER GOALS:

- a. Redevelopment and Infill projects can often use existing roads and Transportation facilities, with little new capital or operating cost
- b. It is far less expensive to provide new roads and other Transportation for Compact, Contiguous Development than to scattered or low density development
- c. An efficient Transportation system is important to Economic Development

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Plan Coordination
- b. General Zoning update
- c. Update Subdivision Regulations
- d. Adequate Public Facilities Program
- e. Capital Improvements Programs
- f. Targeted Infrastructure Investments
- g. Community Development
- h. Overlay Zoning

PUBLIC UTILITIES STRATEGY

GOALS:

Ensure that most new development is connected to public or community water and wastewater services, that such services meet all federal and state standards, and that such services are available at a reasonable cost

Develop alternative strategies for new and existing development too remote to be connected to such systems

OBJECTIVES:

1. Plan for and cooperate in developing financing methods for the orderly expansion of existing public water and wastewater systems to serve planned and projected growth
2. Cooperate with community water providers in the expansion of facilities to serve planned and projected growth
3. Develop criteria and implementation strategies for alternative wastewater treatment for remote development, including constructed wetlands
4. Establish policies for installation of dry lines for new subdivisions in future service areas
5. Develop Countywide management system, in cooperation with existing treatment plant operators, to provide professional operation and maintenance to small and dispersed systems
6. Consider adoption of Adequate Public Facility regulations to prohibit new developments with more than 20 lots (or some other specified size) without public or publicly-managed wastewater treatment systems
7. Require connection of major new development to water and wastewater systems
8. Plan for and develop plans to pay for adequate infrastructure – including sidewalks, storm drainage and sewers, as well as streets and roads – for all urban and suburban areas in the County

RELATIONSHIPS TO OTHER GOALS:

- a. Redevelopment and Infill projects can typically be connected to existing Water and Wastewater systems, with little new capital or operating cost
- b. It is far less expensive to provide new Water and Wastewater service to Compact, Contiguous Development than to scattered or low density development

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Impact Fees
- b. Sewer/Water Plant Investment Fees
- c. Limitation of Subdivisions with Septic Tanks
- d. Update Subdivision Regulations
- e. Intergovernmental Agreements
- f. Capacity Allocation Program

- g. Adequate Public Facility Regulations
- h. Capital Improvement Programs

PARKS, RECREATION AND OPEN SPACE STRATEGY

GOAL:

*Continued expansion of parks and open space to meet changing population needs and distribution
Improved links among parks, schools, open space and neighborhoods through expanded trail network*

OBJECTIVES:

1. Build on the excellent system of local and state parks in the County and continue to expand the land area and the types of facilities needed to respond to community needs and wants
2. Parkland - Acquire additional parkland to meet increased population and specific park and recreational needs
3. Open Space - Cooperate with nonprofit organizations, including land trusts, and seek funding for acquisitions of environmentally sensitive lands to preserve as part of open space system
4. Rural Character - Adopt development regulations that will protect the rural character and the perception of open space in areas designated as Rural Estate on the Growth Strategies Map; the perceived open space in these areas may be private and need not be open to the public to serve this purpose
5. Trails - Cooperate with NIRPC and with other jurisdictions within the County to expand the existing trails system to provide more recreational opportunities and to complete linkages among most parks, schools and to most residential neighborhoods
6. Recreation, Character and Open Space - Cooperate with NIRPC, the National Park Service, the Indiana Department of Natural Resources, and all other entities within LaPorte County to protect and enhance the value of the Indiana Dunes and to complete and implement the relevant portions of the Marquette Plan for the Lake Michigan Lakeshore

RELATIONSHIPS TO OTHER GOALS:

- a. Parks and Recreation is critical to Quality of Life
- b. Trails also serve as a form of Transportation, particularly for short distances
- c. Some open space preservation should be targeted specifically at Natural Resource protection

IMPLEMENTATION TECHNIQUES (SEE IMPLEMENTATION SECTION)

- a. Plan Coordination
- b. General Zoning Update
- c. Cluster Zoning
- d. Update Subdivision Regulations
- e. Land Acquisition Programs
- f. Targeted Infrastructure Investment
- g. Impact fees (Financing Technique for Development-related Needs)
- h. Conservation Easement Programs
- i. Community Development

THE PLAN: LAND DEVELOPMENT STRATEGY AREAS

OVERVIEW

LaPorte County and its communities have been divided into seven Land Development Strategy Areas. The seven categories are: Urban, Planned Urban, Planned Growth, Planned Rural Industrial, Planned Rural Estate and Traditional Agriculture. These Land Development Strategy Areas provide the regional context for existing and future land development, agriculture preservation, resource conservation, and capital improvement planning.

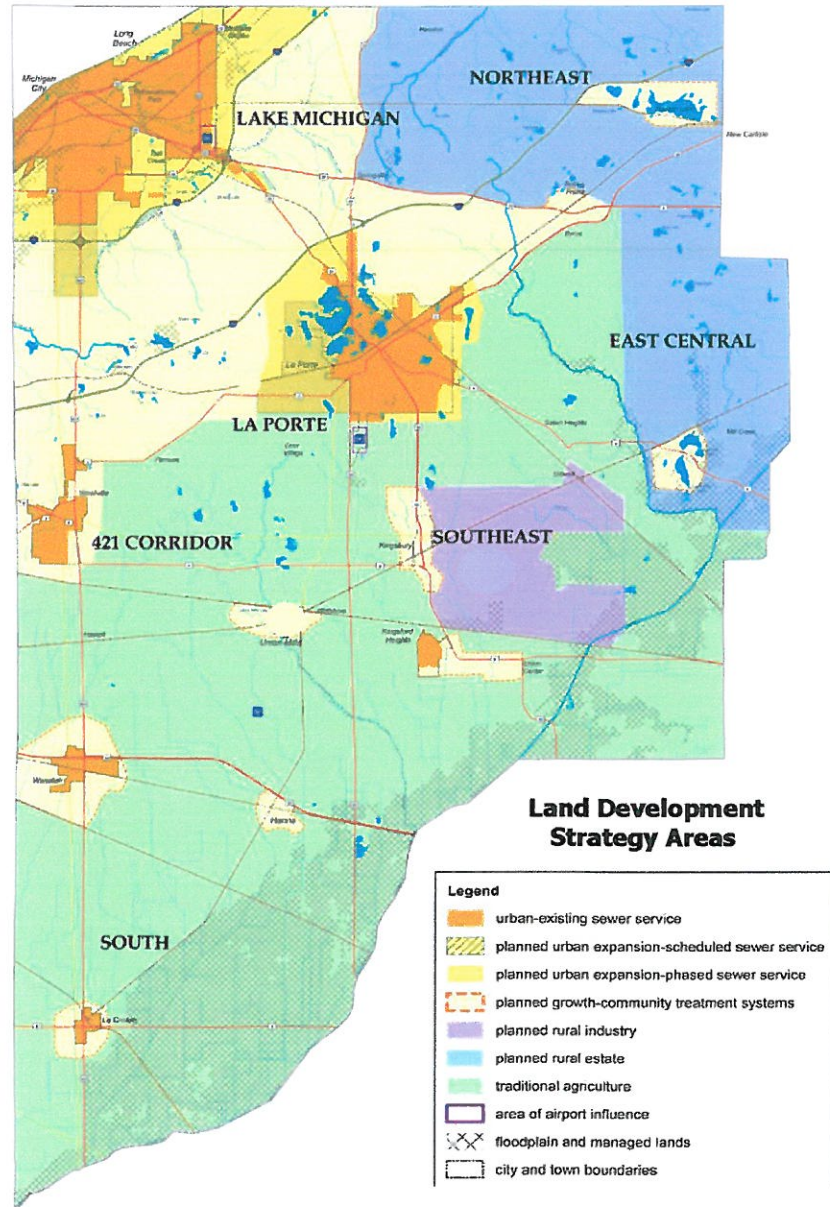


Figure 24 Development Strategy Areas

EXISTING URBAN AREAS

DESCRIPTION

The Urban Areas are located within the corporate boundaries of cities and towns where full municipal services are available. These areas include Michigan City, the City of La Porte, Westville, Wanatah, La Crosse, and Kingsford Heights, and to some extent, Kingsbury. Road access in these areas is generally excellent, with a network of collector streets connecting local streets and roads to major arterials and then to state, federal and interstate highways.

TRENDS AND ISSUES

With the exception of Wanatah, these areas have lost population over the last 15 years, in part due to shrinking average household size, but in part due to apparent out-migration to exurban and rural locations. These areas generally have the capacity to serve additional population, but the lack of recent residential growth, loss of industry and limitations in Indiana's state laws affecting property taxes have created serious fiscal constraints for most of the local governments serving these areas.

GENERAL OBJECTIVES

- Encourage residential growth in areas where infrastructure is already available
- Encourage redevelopment of brownfields, particularly in Michigan City and La Porte
- Encourage revitalization of downtown areas
- Encourage other commercial development, to support existing and planned population

Infrastructure

- Maintain and update existing infrastructure
- Target expansion of utilities and roads into Planned Urban Expansion and Planned Growth areas
- Require that all new development connect to public utilities and that it include roads, sidewalks, stormwater facilities and other infrastructure meeting current urban standards of the jurisdiction

Zoning

- Commercial zoning downtown and at selected commercial nodes
- Mixed-use zoning to allow residences above retail in downtowns and major commercial nodes
- Neighborhood commercial zoning, with limitations on signage, lighting, drive-throughs and large parking lots, at appropriate intersections of collector streets or collector and arterial streets in otherwise residential areas
- Residential zoning ranging from low-density (2 units per acre) up to six or more units per acre in small towns and up to 12 or more units per acre in the City of La Porte and Michigan City
- Light industrial/business park zoning in designated areas
- Heavy industrial zoning, subject to site plan review and performance standards, at locations with access to highways and/or major rail lines

PLANNED URBAN EXPANSION AREAS

DESCRIPTION

The Planned Urban Expansion Areas are divided into two types:

- Areas in close proximity to Michigan City and/or the City of La Porte where the Michigan City Sanitary District and/or the City of La Porte Utilities Department – in some cases, in cooperation with LaPorte County – have scheduled plans to extend public sewer service; and,
- Areas in close proximity to Michigan City or the City of La Porte, and including the communities of Long Beach, Pottawatomie, and Trail Creek, where although there are no current plans for extension of public sewer, these areas are reaching urban densities and development patterns and are logical extensions of public sewer services.

GENERAL OBJECTIVES

- Complete infrastructure expansion in these areas, including sewer line extensions
- Establish new regulatory policies to require future development in these areas to meet urban development standards, rather than suburban or rural ones
- Discourage additional residential development that does not have immediate or near-term connections to public sewer systems
- Encourage increased density of development where it is possible to extend public sewer, thus making more efficient use of land and reducing costs of public services

Infrastructure

- Cities and towns, and possibly the County, should cooperate in finding ways to extend public sewer service to as many of these areas as possible
- Require all future development to connect to the public sewer service
- Require road connectivity among subdivisions for all new subdivisions
- Require stormwater management plans for all new subdivisions in area, addressing both quality and quantity
- Consider adding subdivision requirements for sidewalks and other urban amenities that residents are likely to expect

Zoning

- Zoning in these areas should be tied to availability of public services
- Zoning densities for residential development in these areas should be increased to two or three units per acre or more in many locations, to provide for a fiscally sound pattern of development
- Commercial zoning regulations should discourage additional strip-commercial development along major roads by: limiting access points to major roads, requiring shared access; requiring concept master plans for entire property holdings before individual tracts are split off; providing incentives for multiple property owners to coordinate plans for commercial development
- Light industrial uses exist in some of these areas and additional such uses are likely to be appropriate, because of the excellent access. Because many of these are highly visible locations – in some cases located at the visual gateways to the two major cities – industrial zoning regulations should be updated to require landscaping and other visual improvements for new development

PLANNED GROWTH AREAS

DESCRIPTION

The Planned Growth Areas have experienced some of the most significant population growth in LaPorte County over the last 15 years, but they do not have the necessary services to support that growth. The Planned Growth areas are generally located in the northwestern and north central areas of LaPorte County between Michigan City and the City of La Porte. These areas have complex topography along the Continental Divide making the extension of sewer facilities challenging; however, over the long-term, if not the short-term, septic tank failures can be expected in many of these areas.

Although these areas are less intensely developed than the Urban and Planned Urban Expansion areas, many homes in these areas are located in small subdivisions that stub directly off of the County's (Johnson Road) or State's (Highway 2 or 6) road network. The lack of connectivity among these developments increases the traffic load on these arterial roads for short "errand" type trips --- residents traveling even a short distance typically must use the arterial roads. The limitation of single access creates public safety issues --- a traffic accident or fallen tree can effectively close the neighborhood for hours. In addition, these developments have limited no facilities to manage stormwater runoff making it difficult for the County to limit flooding or to comply with stormwater quality standards. Retrofitting these areas with wastewater and stormwater facilities will, in many cases, be prohibitively expensive.

GENERAL OBJECTIVES

- Future (may be long-term, due to cost factors) infrastructure expansion in these areas, including sewer line extensions and a network of collector and minor arterial roads
- Encourage development in these areas only as sewer service becomes available, either by public investments or through developer-funded extensions
- Establish new regulatory policies to require future development in these areas to meet suburban development standards, rather than rural ones

Infrastructure

- Create transitional regulations that allow (but do not encourage) some development with private sewer services but include provisions for linking these areas to later-provided public sewer services
- Require connectivity among subdivisions for all new subdivisions in this area
- Require stormwater management plans for all new subdivisions

Zoning

- Encourage increased density of development where it is possible to extend public sewer, thus making more efficient use of land and reducing costs of public services
- Because there will be demand for the development of other land in these areas, consideration should be given to a transitional zoning category that would allow limited development of part of a parcel, with shared temporary wastewater systems, then providing for a by-right increase in development intensity on the remainder of the parcel when sewer becomes available in the future
- Zoning densities for residential development in these areas should be increased to two or three units per acre or more, where and when sewer service is available
- Many of these areas lie along the sloping and sensitive topography on both sides of the Continental Divide; zoning in these areas should be amended to encourage clustering and to create variable setbacks and lot dimensions, with other requirements that limit the impact on the natural features
- With the continued growth of residential development in this area, selected intersections of major roads should be considered for zoning for neighborhood commercial uses

PLANNED RURAL ESTATES AREAS

DESCRIPTION

The Planned Rural Estates Area, in the Northeast and East part of LaPorte County, has some of the most environmentally sensitive lands in the County, with a rolling topography, some old-growth and other long-standing wooded tracts, a generally high water table, a number of small wetlands, several lakes, and a number of streams. It is characterized by limited agricultural activities, a significant amount of land that is not actively used, scattered subdivisions, a concentration of permanent population and schools at Rolling Prairie, and an intense cluster of largely seasonal residences around Hudson Lake and Fish Lakes. There is easy access to the area from U.S. 20 and S.R. 2; but although the Indiana Toll Road passes through the area, the nearest exit is on U.S. 39. The South Shore Line has a flag stop at Hudson Lake.

TRENDS AND ISSUES

Because of the attractive character of the area, there is significant development pressure on it, and with the new casino at New Buffalo, development pressure will continue. Two critical areas of concern are the highly populated areas around Hudson Lake and Upper and Lower Fish Lakes and the resulting environmental issues within the lakes. Unfortunately, there are no plans to extend public sewer into this area, either from the Michigan City Sanitary District, the Town of New Carlisle, or from the City of LaPorte or the County. The lack of sewer service combined with the high water table and other environmentally sensitive characteristics make it one of the areas in LaPorte County in which additional development is least desirable in context with the goals and objectives of this Plan. Unfortunately, however, the area has already been divided into many relatively small parcels, thus, the development pressure in the area seems likely to continue, with no solution to the environmental problems in sight.

GENERAL OBJECTIVES

- Establish new regulatory policies to manage probable continued development in the area in a way that creates the fewest environmental challenges and the lowest fiscal impacts on local governments
- Seek funding for strategic acquisitions of sensitive lands in these areas

Infrastructure

- Explore with New Carlisle the possibility of providing sewer/water to Hudson Lake area
- Establish new standards and incentives for alternative wastewater treatment systems in this area, to include constructed wetlands, managed package treatment plants, and low-volume collection systems
- Establish a Sanitary District for at least this portion of the County, to manage new wastewater treatment systems and existing septic tanks, with the costs of management paid through user fees
- Require new developments to include stormwater management plans to address water quality issues; although area is outside the urbanized area that is subject to federal stormwater regulations, the sensitive character of the environment suggests the need to pursue this as a local objective
- Require connectivity among subdivisions for all new subdivisions in this area

Zoning

- Zoning in this area should require clustering of residential development, to facilitate the use of shared alternative wastewater treatment systems and to preserve large areas of land in their natural state
- Zoning for existing small tracts should have variable setbacks and lot dimensions, with a requirement to develop and build in ways that limit the impact on the area's natural features
- With the continued growth of residential development in this area, it will be appropriate to designate one or two locations in this area for neighborhood commercial uses
- Zoning should include a special use permit process to allow camps and other uses that involve long-term stays to have self-contained utility systems and to preserve large tracts of land

PLANNED RURAL INDUSTRIAL AREAS

DESCRIPTION

The Planned Rural Industrial Area is located in the heart of the Traditional Agriculture Area. Its land use is dominated by the Kingsbury Industrial Development Park (former Kingsbury Ordinance Plant) and adjacent suburban development to the north and west of the industrial Park. It differs from other agricultural areas, however, because it has two major highways – U.S. 35 and U.S. 6 – crossing it, and it is served by two major rail lines. Because of the presence of former Ordinance Plant, much of this area has long been zoned for industrial development and the somewhat more dense R-2 residential zoning classification.

GENERAL OBJECTIVES

- Maintain blend of light industry and planned residential
- Allow light industry primarily within the Industrial Park
- Encourage redevelopment of brownfields on former plant site near Kingsbury

Infrastructure

- Encourage industry primarily where it can connect to existing sewer systems
- Allow new light industry with individual treatment systems only where there is effective long-term management plan
- Develop long-term plan for expansion of selected rural roads to serve as major collector roads
- Require new developments to include stormwater management plans to address water quality issues; although this area is outside the urbanized area and thus not subject to federal stormwater management regulations

Zoning

- Zoning in this area should provide for continued use for industrial uses that are buffered from existing or planned residential development
- Heavy industry should be allowed by special use permit in this area
- Residential development should be permitted if connected to existing sewer services from the town of Kingsbury or established community treatment facilities

TRADITIONAL AGRICULTURE AREAS

DESCRIPTION

The Traditional Agriculture Area is that area of LaPorte County that has excellent agricultural soils; although water tables are high in some areas, most of those areas have been effectively drained for agricultural use for more than a century. Road access is excellent for agricultural purposes. Three towns in the area (Kingsford Heights, La Crosse and Wanatah) and two others nearby (Westville and Kingsbury) provide a variety of commercial and farm-related service and retailers that support the area. For the most part, public sewer and water service are available in the towns.

TRENDS AND ISSUES

Agriculture remains the dominant land use throughout this area. There has, however, been a significant encroachment of lot splits and other small developments allowing a stripping out of residential uses along many of the County roads. That development pattern, if continued, is likely to make those roads less and less functional for farmers moving farm equipment and trucks full of livestock and grains. The encroachment of nonfarm related development also increases the conflicts between land uses --- the feel of rural suburbia meets the smells of farming, dairies and livestock management. In addition, the increased number of scattered residential units on septic tanks is likely to lead to water quality issues affecting the Kankakee River in the mid-term.

GENERAL OBJECTIVES

- Support and encourage continued traditional agricultural activity in the area
- Encourage additional residential and commercial development only in and near the towns, where public services are available

Infrastructure

- Maintain existing County road system primarily for agricultural use
- Encourage cooperation between the towns and the County to expand sewer systems within these towns to serve additional residential and commercial development as it occurs

Zoning

- Amend subdivision and zoning regulations to limit additional residential development along County roads
- Amend the Zoning Ordinance to allow all forms of traditional agriculture by right
- Amend the Zoning Ordinance to allow intensive (animal) agriculture by special permit, subject to objective standards
- Amend the Zoning Ordinance to allow subdivisions only by special use permit, to preserve larger parcels of land for continued agricultural use

TOWNS AND RURAL VILLAGES

DESCRIPTION

The towns and rural villages within LaPorte County play a vital role in County's future land development. These include the towns of Kingsford Heights, Kingsbury, La Crosse, Trail Creek, Wanatah and Westville and the communities of Fish Lake, Hanna, Hudson Lake, Rolling Prairie, Union Mills and a number of others. The more established towns provide the full array of city-level services, although more limited than those within the more urban areas of Michigan City and the City of La Porte. In contrast, the unincorporated communities have very limited facilities and serve primarily as enclaves of more intense rural residential and convenience commercial land uses.

TRENDS

As growth continues in LaPorte County, particularly within the Planned Rural Estates and Traditional Agriculture Areas, the role of these towns and villages will grow in importance. Unfortunately, growth trends within and nearby to these areas has occurred without public sewer and often without public water. Thus, intense development on septic tanks continues to pose the potential for severe health issues as these areas attract additional development.

GENERAL OBJECTIVES

- Encourage additional residential and commercial development only in and near the towns, where public services are available
- Seek solutions to the environmental issues created by the intensive residential development on septic tanks that is impacting the water quality of Hudson Lake and Fish Lakes
- Seek ways to provide adequate water and sewer services towns and villages that have significant existing or proposed future growth

Infrastructure

- Encourage cooperation between the towns and the County to expand or develop sewer systems within these towns and communities to serve additional residential and commercial development as it occurs
- Establish a Sanitary District to manage new wastewater treatment systems and existing septic tanks, with the costs of management paid through user fees
- Require new developments to include stormwater management plans to address water quality issues; although area is outside the urbanized area that is subject to federal stormwater regulations, the sensitive character of the environment suggests the need to pursue this as a local objective

Zoning

- Amend zoning regulations to encourage additional residential development within the towns and villages if water and sewer are provided
- Prohibit rezoning for subdivisions in areas where public water and sewer are not provided
- With the continued growth of residential development in this area, it will be appropriate to designate one or two locations in this area for neighborhood commercial uses

AIRPORT INFLUENCE AREAS

DESCRIPTION

The Airport Influence Areas are areas surrounding the two publicly operated general aviation airports in LaPorte County. Land holdings of the two airports are limited, so that much of the land in these areas is owned by persons not affiliated with the airports or apparently interested in aviation.

TRENDS AND ISSUES

Both of the airports are in proximity to public sewer and water and generally suitable for significant additional development. One of the most critical issues is the location of residential development within the approach areas of the airports.

GENERAL OBJECTIVES

- Support efforts of both airports to acquire additional land to provide for possible future expansion and to provide a government-controlled buffer – particularly along the flight paths.
- Prohibit development in those areas that would interfere unduly with aviation, subject to the right of property owners to retain economically viable uses of their property
- Because of the modest but real risks inherent to airport operations, encourage surrounding uses that do not involve large numbers of people such as nursing homes, schools and other facilities that have large concentrations of people

Infrastructure

- Both of these areas have existing infrastructure and are likely to benefit from improved infrastructure as the urbanized areas continue to expand around them.

Zoning

- Create overlay zoning districts to provide effective implementation of the provisions of Ind. Code §8-22-2-9
- Prohibit schools, religious institutions, nursing homes and other facilities that include large concentrations of people within all parts of these areas where FAA studies suggest that there is an increased risk of hazards resulting from take-offs and landings
- Prohibit tall buildings and towers that may interfere with aviation operations
- Prohibit land uses that would attract large numbers of birds, such as garbage disposal and feed lots

ECONOMIC OPPORTUNITY OVERLAY AREAS

DESCRIPTION

As this Plan was developed, there were formal and informal discussions of the possible location of major transportation-related facilities in exurban and somewhat rural parts of the County. Although the merits of those specific proposals were still under study on the date of completion of this Plan, the proposals illustrated the strategic location of LaPorte County and its attraction to warehousing, transportation and logistics industries. There are clearly County residents and leaders who believe that such facilities would add needed jobs and tax base to the County, while other County residents believe that such industry would detract from the County's natural qualities.

This Plan takes no position on the specific merits of particular proposals. Limited discussion of the proposals combined with extensive analysis of existing land-use and development patterns in the County (see discussion throughout this Plan) led to the conclusion, however, that the worst-case scenario would be to have some development of transportation and warehousing facilities occur in the sort of random manner that has characterized much of the development of the County over the last 15 years. To the extent that County officials conclude that it may be appropriate to accommodate additional industrial development of any kind in the County, it should either occur in an established industrial area or it should occur in a specific location as a carefully planned project. This section provides guidelines for one or more unmapped Economic Opportunity Overlay Areas that can be used if the County decides to consider a major industrial or warehousing project in a location that is not now developed; it is important to note that this is a tool to be used by County officials if and when they decide that it is appropriate, but equally important to note that it may not be used soon or may never be used.

GENERAL OBJECTIVES

Same as for Traditional Agriculture, with this addition:

- Provide a mechanism to allow creation of a large-scale employment base at a specific location, subject to provision of public sewer, community water and improved roads to serve the area
- Avoid scattered industrial and warehousing development

Infrastructure

Same as for Traditional Agriculture and/or Planned Growth Areas, with this addition:

- Implementation of this overlay should be conditioned on the availability or firm financing arrangements for public sewer, community water and major road improvements adequate to serve the proposed development (interior and exterior improvements); financing may come from land owners, developers, proposed users, the State of Indiana, LaPorte County, one or more cities or towns, or some combination thereof
- Contract or other arrangement for public management of any utility services – either by contract with an existing city or town with such management capability or by a utility District

Zoning

Follow recommendations for Traditional Agriculture and/or Planned Growth Areas but ADD an overlay to allow implementation of a major logistics and/or warehousing facility, subject to the following conditions:

- Minimum site size of 500 acres
- Site should be reasonably compact and contiguous, to minimize impact on continued use of nearby lands for agricultural purposes or future residential

PLAN IMPLEMENTATION TECHNIQUES

INTRODUCTION

Implementation is an essential step in planning. Simply completing a comprehensive and attractive plan accomplishes little if the plan simply winds up on a shelf or in a file somewhere. To facilitate implementation of this plan, this section contains specific implementation recommendations.

Many people look at a land-use or development plan and immediately think of zoning. Some communities limit plan implementation to using the plan as a reference tool when public officials consider rezoning proposals. That is an appropriate use of a plan, but this section goes much farther than that. It lays out a pro-active program to implement the plan.

The recommendations in this section are those of the consulting team, based on their experience elsewhere. Local officials will undoubtedly pick and choose various implementation steps. Some are expensive, while others involve very little cost. Some recommendations will require significant political will to undertake, while others are likely to be almost universally popular. Some of these steps can be taken quickly, while others will take years to accomplish.

Realistically, this is a five-year work program. Ideally, the plan commissions and governing bodies in the adopting jurisdictions should sit down together early each year, beginning in 2008, and go through this checklist – picking out items for a reasonable work program for the year ahead. Those sessions after the first year can also serve as sessions to report progress and to update the work program as conditions change.

PLANNING TECHNIQUES

PLAN COORDINATION – CONTINUATION OF LAND DEVELOPMENT STEERING COMMITTEE

Description

In LaPorte County, as in many communities, there are multiple planning efforts. The Countywide Land Development Plan represents one important and over-arching plan for the County. Another important countywide work element is the recently completed "Cost of Community Services" study. The Northwest Indiana Regional Planning Commission continues its work with the state on long-range transportation planning. Several entities have mid-range plans for infrastructure expansion, although none have long-range plans that even approach the planning horizon of this Plan; those entities include the Michigan City Sanitary District, Michigan City Water Works Department, City of La Porte Wastewater and Water Works Departments, and smaller providers of sewer and water services within LaPorte County. Parks departments for the City of La Porte, Michigan City and LaPorte County all have mid-range expansion plans. La Porte and Michigan City each have downtown revitalization plans that are in various stages of implementation. At least three separate economic development and business development groups are involved in seeking improved and more diverse economic activity for the County.

Achievement of the principles of the Countywide Land Development Plan and continued development of the County in a fiscally responsible way requires that there be coordination among those plans. Through the Countywide Land Development Plan planning process, local governments and their citizenry have cooperated to create a core planning group. Although it is informal in nature, this group should continue to meet at least two times per year and more frequently at any time that one of the jurisdictions is engaging in a major facilities planning project. The group should be an active participant in that planning process. The goal of its participation should be consistency among adopted plans. That may suggest in some cases that the new Plan be modified to maintain

consistency with adopted plans; in other cases, the team may recommend that principles of the new Plan be used to guide amendments to plans already in place.

Purpose

The continuation of the Countywide Plan Steering Committee would achieve a continuing, practical commitment to a form of cooperative planning on a countywide basis.

Adoption

There is no need for formal adoption of this strategy, although a joint resolution by governing bodies to continue this commitment of cooperative planning would be useful policy guidance.

Implementation Strategy

There must be some agreement about who can and will convene these periodic meetings.

Administration

Although maintaining this group will require time commitments by busy administrators, over the long-run the benefits of coordination should far outweigh that cost.

Advantages

A continued commitment to cooperative Countywide Land Development Planning is essential—not just an “advantage”—to achievement of the goals and objectives of this Plan.

Disadvantages

None known.

PLAN COORDINATION – CREATION OF AN AREA PLANNING COMMISSION

Description

There has also been discussion of the possibility of creating an Area Planning Commission, to serve all entities within LaPorte County. Under Indiana law, the County, in cooperation with a municipal government, may create an area planning department.

Purpose

A more formalized continuation to achieve a continuing, practical commitment to a form of cooperative planning on a countywide basis in LaPorte County.

Adoption

The specific Indian statute reads:

There may be established in each county an area planning department in the county government, having:

- (1) an area plan commission;
- (2) an area board of zoning appeals;
- (3) an executive director; and
- (4) such staff as the area plan commission considers necessary.

Each municipality and the county desiring to participate in the establishment of a planning department may adopt an ordinance adopting the area planning law, fix a date for the

establishment of the planning department, and provide for the appointment of its representatives to the commission. When a municipality or a county adopts such an ordinance, it shall certify a copy of it to each legislative body within the county. When a county and at least one (1) municipality within the county each adopt an ordinance adopting the area planning law and fix a date for the establishment of the department, the legislative body of the county shall establish the planning department. Burns Ind. Code §36-7-4-202(b).

Under that provision of the Indiana Code, all municipalities could join the County in the initial formation of the body. Alternatively, if only some of the municipalities join in the initial effort, Indiana law allows others to join later. It provides specifically:

After the planning department is established, other municipalities within the county may adopt ordinances adopting the area planning law and provide for the appointment of their representatives to an Area Plan Commission. In such a case, the membership of the commission shall be increased according to the formula provided [citations omitted]. The composition of any such municipal board of zoning appeals, or of any such board later organized, under the advisory planning law, must conform to that law, except that those members of such a board to be appointed from the municipal plan commission shall instead be appointed from the Area Plan Commission. Burns Ind. Code §36-7-4-204.

Implementation Strategy

Membership in an Area Plan Commission is allocated on the basis of population of the participating entities, under a formula outlined in some detail in state law. As the consultants read Indiana law, the membership of an Area Plan Commission that included all of the municipalities in the County would consist of the following:

County members would include:

- One representative selected by the school corporations’ superintendents collectively
- County agricultural extension educator or county surveyor appointed by county executive
- Citizen representative - resident in the unincorporated area of the county or a county resident who is a landowner in the unincorporated area (appointed by county executive)
- Citizen representative - resident in the unincorporated area of the county or a county resident who is a landowner in the unincorporated area (appointed by county fiscal body)
- County surveyor or the county surveyor’s designee if the county executive appoints the county agricultural extension educator or county agricultural extension educator if the county executive appoints the county surveyor

Entity	Number
LaPorte County	5
City of La Porte	4
Michigan City	4
Trail Creek	1
Westville	1
Other Towns	2
Total Members	17

City of La Porte and Michigan City members would each include:

- A member of the works board or board of sanitary commissioners, appointed by the Mayor
- A member of the city council, selected by the city council
- Two citizens, appointed by the mayor

Trail Creek and Westville Members would each include:

- Citizen, appointed by Town Council (law does not make this clear, but this would appear to be the intent)

Other Small Town Members would include:

- Representatives for towns under 2100 person; Two members of different town councils, selected from among a town "advisory council" made up of one representative from each town, each of whom must be a member of the town council that she or he represents

Administration

By state law, the staff for the Area Plan Commission would be part of county government. It is common practice, however, for cities and counties creating such entities to enter into intergovernmental agreements, allocating the costs of operation, committing to provide specific services to each of the local governments and, in some cases, providing for reasonable checks and balances on the county's ability to replace the Executive Director.

Advantages

Ideally, an Area Plan Commission would facilitate long-term cooperation in land-use planning, infrastructure planning and economic development. It would provide a tangible representation of a joint commitment to shared values.

Disadvantages

- Some may see a "turf" issue in cooperative planning. That may be a potential disadvantage from the perspective of elected officials, but most citizens would not consider that a significant disadvantage.
- Implementation of a countywide planning department would require detailed negotiations regarding the continued role of planners within Michigan City and La Porte governments and their relationship to the County staff.
- Michigan City and La Porte each have long experience with comprehensive planning, but under this scenario, the responsibility for this would fall to the County, which has much less experience with planning beyond the day-to-day work of zoning administration.
- The membership mandated by state law would create a 17-member body that some might consider unwieldy.

INFRASTRUCTURE TECHNIQUES

ADEQUATE PUBLIC FACILITIES PROGRAM

Description

An adequate public facilities program is a basic type of growth management. Simply stated, an adequate public facilities (APF) program requires that new development be approved only when and if adequate public facilities will be available to serve it at the time of actual development. Facilities governed by an APF program may include water, sewer and stormwater services, as well as roads, libraries and even fire protection. Florida calls its sophisticated APF program a “concurrency” requirement, because it provides standards for ensuring that new facilities are available “concurrently” with the demands for those facilities created by new development. Basic APF criteria have long been part of Colorado’s Senate Bill 35, which governs county subdivision regulations; unfortunately, those criteria are often implemented only loosely.

Purposes

The purpose is to ensure the availability of adequate public facilities for new development.

Adoption

An adequate public facilities program would be adopted by ordinances in all implementing jurisdictions. Administrative and other policies already effectively address this issue for water and sewer service within the city limits of La Porte and Michigan City, although neither city has similar provisions for roads. LaPorte County has no ordinances or policies addressing this policy.

Simplified adoption could be accomplished through amendments to existing subdivision regulations.

Implementation Strategy

Ideally, an adequate public facilities allocation program should apply as early in the development process as possible. To allow developers to begin work on a project and then to deny the developer public services for that project is both legally and politically problematic. It is better to encourage a developer to abandon or delay a project for which there are inadequate public services before the developer invests a significant amount in it. Traditionally, subdivision regulations have ensured that a developer provides public facilities within the subdivision; an APF ordinance requires that the off-site facilities affected by the subdivision be adequate to absorb the demands imposed by the new project. To adopt APF standards, it will be necessary to adopt minimum levels of service to define the term “adequate” for each service. Although engineering criteria typically govern the definition of “adequate” in the case of water, sewer and stormwater services, other services, such as roads, libraries and even fire protection involve an element of policy judgment in establishing minimum levels of adequacy.

Administration

Administration of an adequate public facilities program requires a supplemental application for compliance with the program. That application can be a simple addendum to each stage of the development review process.

If public officials choose a simplified implementation program, the application can be made part of the subdivision review process. If that approach is used, it would be desirable to include an APF analysis as part of any significant proposed rezoning.

Advantages

- APF regulations are extremely effective in ensuring that new development has adequate facilities.

- APF regulations generally encourage development in the most appropriate locations that are least costly to develop and serve.
- APF regulations are relatively easy to administer and highly defensible.
- Eliminates long-term public costs/risks associated with retrofitting substandard developments with adequate facilities.

Disadvantages

- Will be effective only if adopted by LaPorte County; if such policies are implemented only by the two cities and some towns (which is now the case regarding water and sewer connections), the effect may be to force marginal development into less restricted areas of county.

LIMITING SUBDIVISIONS SERVED BY SEPTIC TANKS

Description

As part of – or separately from – an Adequate Public Facilities Program, the County must give serious consideration to limiting subdivisions that depend on septic tanks for wastewater treatment.

Purposes

The major purpose is to limit the addition of a significant number of septic systems in a county where there are few areas that are truly suitable for septic tanks. High water tables, hydric soils, and other poorly drained soils provide an environment in which liquids discharged into the soil are likely to find their way into subsurface and/or surface water systems. A secondary purpose of such a program is similar to that of an APF program – to encourage most new development to occur in areas where there is sewer service available; those are generally urban or suburban areas with other services available for new development.

Adoption

This recommendation could easily be adopted as an amendment to subdivision regulations, and a criterion for rezoning. Note that it is most important that this be adopted by the County; existing policies in La Porte and Michigan City (the other two jurisdictions that are likely to be asked to approve large subdivisions) generally address this issue. Although this issue exists in Trail Creek, Long Beach and selected other communities in the northern part of the County, most new building in those communities occurs on land that is already subdivided. If the County prepares to adopt such an ordinance, however, it would make sense for the cities and most towns to adopt a parallel ordinance.

Implementation Strategy

This program should be implemented as part of the local subdivision ordinances, and where rezoning is required, the unavailability of sewer could be included in the decision to grant the rezoning. It will be necessary to set a threshold size, so that a simple lot split to allow a farmer's child to build on the family farm will not trigger this rule. The cumulative effect of small subdivisions, however, can be greater than the impact of one larger, well-planned project. Thus, the threshold ought to be a relatively small number, like five or six lots.

Administration

The application can be made part of the subdivision and rezoning review process. There will be no new administrative costs or burdens associated with such a program.

Advantages

Such a regulation would address directly one of the major issues affecting water quality in LaPorte County.

- Such regulations will largely encourage development near existing developed areas; where development occurs in new areas, conforming to such regulations will require clustered, efficient development patterns.
- The proposed regulation would be relatively easy to administer and highly defensible.
- This program would significantly limit the long-term public costs/risks associated with retrofitting substandard developments with sewers.

Disadvantages

- Will be effective only if adopted by LaPorte County; if such policies are implemented only by the two cities and some towns (now the case regarding water and sewer connections), the effect may be to force marginal development into less restricted areas of the County.

CAPACITY ALLOCATION PROGRAM

Description

A capacity allocation program is a type of growth management. Through such a program, a community allocates scarce capacity in sewer, water or other public systems to new users in accordance with policies that implement the adopted plan. Because growth has been relatively slow in LaPorte County for more than a decade, there has been little pressure on these systems. If, however, the County proceeds with efforts to provide sewer service to more areas and to contract for treatment services with the County, and/or if leaders are effective in attracting one or more major economic development projects, the wastewater treatment systems in the City of La Porte and/or Michigan City could rapidly reach capacity. Expansions of such systems are expensive and require many years of planning and regulatory approvals. Thus, the need for such a program may be greater than it might appear.

Purposes

Through a capacity allocation program, a community gives a higher priority to growth that conforms to the comprehensive plan than to growth that does not. Note that on a county level such a program is not particularly relevant; there appear to be no facilities that are so critically short that they would impair long-term development capacity. Within particular sub-parts of the LaPorte County, however, there may be periodic shortages that suggest the need for capacity allocation.

Adoption

A capacity allocation program would be adopted by ordinances by the cities, towns and the County and by board resolution of other service providers.

Implementation Strategy

Ideally, the capacity allocation program should apply as early in the development process as possible. To allow developers to begin work on a project and then to deny capacity for that project is both legally and politically problematic. It is better to encourage a developer to abandon or delay a project before investing a significant amount in it.

that is attributable to growth but that is not covered by revenues from other sources. It then must develop a rational formula for allocating the cost among new developments. In most cases, it will be necessary or desirable to create a system of credits to award to developers who provide in kind contributions to the infrastructure system. Finally, there must be an accounting system to ensure that the funds are used for the intended purposes and in a geographic area reasonably related to the development(s) from which the fees were collected.

Administration

Impact fees typically accrue at the subdivision or site plan stage but are payable at the time of issuance of building permits, thus eliminating the need for developers to include impact fees in their development loan take-downs. Once the formulas are developed, administration of an impact fee program is relatively mechanical and can be handled largely by existing personnel in the permitting unit.

Advantages

- Properly conceived impact fees are the most fair of all exactions, because the fee is proportionate to the impact of the project on the community.
- Impact fees are the most defensible form of exactions.
- Responsible developers typically support reasonable impact fees as an effective method of ensuring that the facilities as well as the funding of those facilities will be available to accommodate growth.

Disadvantages

- Impact fees may (but do not necessarily) increase development and/or building costs.
- This technique will be most effective if adopted on a countywide basis; otherwise the imposition of a fee in one jurisdiction might simply encourage development in other areas.

SEWER/WATER PLANT INVESTMENT FEES

Description

Long before local governments considered the adoption of impact fees for roads and other facilities, providers of water and wastewater service began charging connection fees that exceeded the cost of making and inspecting the connections and that thus contribute to the long-range costs of system expansion. Such fees are sometimes called Capital Investment Fees, Plant Investment Fees, System Development Fees, or simply Tap Fees. In La Porte and Michigan City, current fees appear to be set at a level that simply covers the costs of new meters (for water) and of the installation and/or inspection of new connections.

Purposes

Like other exactions, this technique is a method of transferring to the developer some of the community's costs of absorbing growth.

Adoption

Such fees are implemented by ordinance, or by board resolution of the service provider.

Implementation Strategy

The implementation of a limited purpose fee such as this is a good deal simpler than implementation of an impact fee. Because the focus is narrow, the needs analysis is relatively simple and, in this

case, is engineering driven and thus relatively firm. As with an impact fee, the community must determine what alternative sources of revenue may pay for part of the improvement and expansion of the plant, and what portion is reasonably attributable to new growth. The fee is based on the portion that is attributable to growth but that is not covered by revenues from other sources. It then must develop a rational formula for allocating the cost among new developments. Finally, there must be an accounting system to ensure that the funds are used for the intended purposes and in a geographic area reasonably related to the development(s) from which the fees were collected.

Note that the optimal implementation strategy would establish a system of coordinated fees throughout LaPorte County. Clearly those providers that offer the highest level of service would charge higher fees than those that provide a lower level of service, but it would be desirable to establish some proportionality among the fees charged by different providers.

Administration

Connection-related fees may be imposed as early as the stage of subdivision or site-plan approval or as late in the process as the date of issuance of the certificate of occupancy. Once the formulas are developed, administration of an impact fee program is relatively mechanical and can be handled largely by existing personnel in the permitting unit.

Advantages

- Properly conceived fees such as these are the most fair of all exactions, because the fee is proportionate to the impact of the project on the community.
- For exactly that reason, such fees are the most defensible form of exactions.
- The legal and administrative history of such fees actually predates impact fees.

Disadvantages

- Such fees may (but do not necessarily) increase development and/or building costs.

CAPITAL IMPROVEMENTS PROGRAMS: PRIORITIES FOR INFRASTRUCTURE

Description

Because investments in infrastructure will significantly affect the future patterns of growth in the County, the major infrastructure providers – Michigan City, Michigan City Sanitary District, City of La Porte, LaPorte County, school corporations and NIRPC (state investments in roads) should begin a process of capital improvements programming with at least some coordination among jurisdictions.

At a minimum, plans and policies should place future inventory in four categories:

High priority. The highest priority is infrastructure that is already needed or part of a targeted infrastructure investment program such as elements on a 5-year Capital Improvements Program.

Medium priority. Medium priority infrastructure is that on adopted long-range plans but not in the current 5-year Capital Improvements Program. Often this is infrastructure improvements needed by local developers. Local governments should offer to enter into cost recovery agreements to encourage developers to provide such infrastructure.

Low priority. Low priority infrastructure is generally consistent with adopted plans but for which there is no clear need and unlikely to be a clear need within the next 10 years. A local government might elect to accept dedication of such infrastructure if it is provided but would refuse to enter into cost recovery agreements for it or otherwise encourage its construction.

Unwanted. Some infrastructure is simply inconsistent with the Plan and thus unwanted. This may be infrastructure that encourages growth in areas that might be environmentally sensitive such as floodplains. Local governments should not accept this infrastructure and may require records to warn purchasers that improvements would not be maintained by local government.

Purposes

Major development follows major roads and sewer lines – and, to some extent, parks and schools. Infrastructure decisions will shape growth, and it is important that such investments be planned and that the plans are coordinated and tied to the Countywide Land Development Plan.

Adoption

Such a policy should be adopted by policy resolutions of each of the governing bodies.

Implementation Strategy

The implementation strategy must involve representatives from the finance departments, engineers and other facility planners, planning staff, and whatever countywide group continues to monitor the implementation of this Plan. Ultimately, the governing bodies of towns, cities and the County, and water and sanitary boards and school boards will make the implementation decisions to follow (or not follow) the Plan – so it is essential that each be involved in the decision-making process.

Advantages

- This is one of the most important tools of plan implementation.
- As elected officials ask developers and others to follow new policies and regulations based on the Plan, this same commitment to the Plan should be demonstrated by elected officials.

Disadvantages

- None known.

TARGETED INFRASTRUCTURE INVESTMENT

Description

Local governments once actively built major roads and extended sewer and water lines in advance of needs. Today, most local governments depend on developers to take the initiative to expand infrastructure to meet growth-related needs. This proposed policy calls for the cities, County and other providers to get back into the business of providing some infrastructure in advance of need—but to do so in targeted areas, carefully coordinated with other service and facility providers.

Purposes

Major development follows major roads and sewer lines – and, to some extent, parks and schools. By investing in infrastructure in targeted growth areas, local government can guide development in those areas.

Adoption

Such a policy would be adopted through each government’s normal budget and capital improvement planning process.

Implementation Strategy

There are several essential elements to effective implementation of this technique:

1. A plan that targets priority growth areas.
2. A capital improvements program based on a map and carefully ordered project priorities—not just a politically driven project list.
3. A program of impact fees, assessment districts or other financing techniques to recover some of the costs of these investments as growth occurs.
4. Intergovernmental agreements to ensure that multiple service providers are targeting the same or at least compatible areas for growth.

Optimally, such a system would include two other elements:

1. An adequate public facilities program, reinforcing the growth-influencing effect of the infrastructure investments.
2. A variable impact fee program that charges reduced fees or offers other financial incentives for development in targeted growth areas—including already developed areas with excess infrastructure capacity.

Advantages

- This is the most powerful of all plan implementation tools.
- Developers support it and are likely to cooperate with such a program—with more enthusiasm than with some other programs.
- Such a program is absolutely essential to the economic development goals of the cities and the County.

Disadvantages

- It requires expenditure of funds.

ZONING TECHNIQUES

GENERAL ZONING UPDATE

Description

The new Countywide Land Development Plan calls for patterns and styles of development that differ from what has occurred over the last 30 years in LaPorte County. New development types often require new rules—not only to encourage or mandate the new types but to ensure that the rules themselves do not create obstacles to the types of development suggested by the Plan.

In that context, it is time for LaPorte County, the Cities of Michigan City and La Porte, and several of the towns in the northern part of the County to consider major updates to their zoning ordinances.

Purposes

The over-arching purpose of the updates would be to ensure that the zoning regulations in the cities and County are consistent with the Countywide Land Development Plan. Some specific purposes of the update, suggested by principles set out in the Plan, include:

- Ensuring that most uses and structures in stable areas of the cities and the towns are “conforming” under the zoning regulations and thus can be improved and reused.
- Encouraging cluster zoning to preserve sensitive lands and natural areas in open space.
- Ensuring that parking and other standards in the downtown and other core areas are consistent with the types of development desired in those areas.
- Implementing aesthetic values established through neighborhood plans.
- Implementing pedestrian-friendly and bike-friendly site plans, including requirements for secure bicycle parking.
- Encouraging mixed-use development in appropriate areas, including the historic core areas of the cities.

Adoption

Zoning updates would be adopted as amendments to or replacements for the zoning ordinances.

Implementation Strategy

Zoning updates of the type needed to implement the Plan are major projects that should involve significant participation by stakeholders. The work program for such updates can take from 12 to 18 months, depending on the resources available and the degree of involvement of stakeholders. Successful accomplishment of such a program usually requires the dedication of a substantial part of the time of a professional staff member and/or the hiring of consultants to assist with the process. Although much of the work is substantive and thus falls logically in the planning field, the final rules must be reviewed and approved by the City Attorneys and County Attorney, respectively.

Because this is a joint Plan and because few of the issues stop at the municipal boundaries, the two cities and the County should at least consider a joint or coordinated effort to update their regulations. Although there are certainly some differences among the three, there is also a good deal of overlap of standards and criteria in the developing areas.

Administration

A new set of zoning regulations need not be any more complex to administer than the current ones. There are often opportunities to streamline the system and to simplify administration with a new zoning code.

Advantages

It is difficult to use the term “advantages” in referring to this technique. Some of the Plan’s goals and objectives can be implemented only through taking this step.

Disadvantages

There will be a one-time cost associated with the staff and/or consultant time necessary to prepare the updates.

ZONING: MINIMUM DENSITY STANDARDS

Description

La Porte, Michigan City and LaPorte County would establish minimum densities, as well as the traditional maximum densities, in selected urban, suburban and exurban zoning districts.

Purposes

This approach ensures that urban development is sufficiently dense to be support public sewer service and to support appropriate neighborhood shopping, schools and parks; it also limits the pressure on rural land, by ensuring that more development is absorbed within the urban area.

Adoption

Like any zoning amendment, this would be adopted by ordinance, adding new minimum density standards to selected zones.

Implementation Strategy

This zoning technique should be implemented with a zoning ordinance amendment as part of a comprehensive set of amendments to the local zoning ordinances, to be adopted as soon as reasonably practicable after adoption of the Plan.

Administration

Administration of the minimum density would be identical to that for existing zoning districts.

Advantages

- This would ensure a generally more compact form of development, with sufficient development intensity in neighborhoods to support neighborhood parks, schools and shopping.
- This would reduce development pressure on some rural areas by absorbing more development in the urban area.
- This approach would facilitate utility/street planning, by establishing a relatively narrow range of probable future land use intensities, thus increasing the predictability of future facilities demand.

Disadvantages

- The only serious negative consideration with such a program is that neighbors sometimes oppose higher density in new projects.

Note

This technique should not be viewed as an attempt to eliminate all lower-density development. Clearly low-density development is desirable in some areas and the County in particular should plan accordingly. In those areas planned for urban and suburban development, however, this technique helps to ensure that the Plan is implemented effectively.

ZONING: CLUSTER ZONING

Description:

Also known as “open space subdivisions,” residential cluster zoning involves the adoption of design standards for use in certain rural and/or environmentally sensitive areas. This involves site planning designed to encourage preservation of open space particularly as they relate to flood plain, areas of high water tables and farm land protection. Cluster residential zoning “clusters” development onto smaller lots away from the “protected” areas, while leaving the remaining area in open space, thus reducing development impact. The existing permitted residential densities are maintained and can even allow density bonuses for employing the cluster technique.

Adoption

Like any zoning amendment, this would be adopted by ordinance, adding a cluster option to specified residential zoning districts.

Implementation Strategy

The following is an example of how cluster residential might be used in LaPorte County on 400 acres zoned to permit only one house per 2 acres. The total permitted houses on the 400 acres would thus be 200 houses. Cluster Residential would require the overall density to be maintained, but it might permit the lot size to be reduced to ½ acre IF a community waste water system were employed. This would result in the 200 houses covering only 100 acres leaving 300 acres in commonly held open space owned by the homeowners (200 lots x ½ acre = 100 acres; 400 acres - 100 acres = 300 acres of open space). The commonly held acres could not be further subdivided but would be large enough to be more useable for play areas, gardening, farming or common wastewater field lines. Likewise, because the road network would be much more limited due to a smaller amount of land being developed for home sites (100 acres versus 400), the cost to the developer, the homeowner and ultimately the County, for road maintenance would be reduced. Added benefits would be maintaining a more natural character to the land area and having less impact on wildlife habitat corridors. It is also conceivable that some housing density bonus might be permitted for employing Cluster Residential Zoning. Also, this same technique works well for development near flood prone areas and more steep terrain.

This zoning technique should be implemented with a zoning ordinance amendment as part of a comprehensive set of amendments to local zoning ordinances, to be adopted as soon as reasonably practicable after adoption of the Plan.

Administration

Administration of cluster zoning is slightly more complex than administration of a standard zoning ordinance provision. The complexity, however, arises only at the time of subdivision review.

Advantages

- This gives responsible developers the option to *Design with Nature* (the title of a book by landscape architect Ian McHarg). Designing around natural features not only serves public purposes of protecting those features, but it often saves a developer money and creates additional amenities in a development.
- This technique could be used as a basis for *requiring* cluster development on sites with specified characteristics.
- Providing clustered subdivisions with public services – ranging from utilities to school bus routes – is generally less expensive than providing the same services to homes on more dispersed lots.
- This may be the best hope of preserving some of the scattered sensitive lands that are threatened by development, particularly in the northeast part of the County.

Disadvantages

- There is a slight increase in the complexity of reviewing subdivision proposals, but it is not a significant burden.
- This is a technique that protects small sensitive areas that are parts of larger parcels; protecting larger natural resources requires the use of Land Acquisition and Conservation Easements; it is important for public officials and citizens alike to understand the limitations, as well as the strengths, of this technique.
- Cluster development is not an alternative to public land acquisition efforts (see above) – it is a supplement that can be used to protect additional lands.

ZONING: OVERLAY ZONES

Description:

Overlay zoning is a mapped zone that imposes a set of requirements and a review process over existing zoning districts. When an overlay zone is put into place it acts as a second layer of zoning to accomplish a specific purpose while maintaining the existing underlying zoning regulations. Common overlay zones are flood hazard areas, historic districts, airport overlays, and gateway entrance overlays. In most cases the underlying zoning requirements remain the same; however there is an additional set of development guidelines or requirements that must be followed if the subject property falls within an overlay zone. In some instances overlay zones may modify the existing zoning district requirements. As an example, a central business district overlay may reduce the traditional amount of parking required by a new development.

Purposes

The purpose of overlay zoning is to provide an additional zoning tool to provide both flexibility and additional criteria for development in order to accomplish the policies of the Countywide Land Development Plan. The use of zoning overlays would be suitable for open space protection and greenway development. Other communities have developed overlay zones to protect property from development on unstable land (steep slopes); soil erosion and stream siltation; destruction of mature or unique vegetation or habitats; destruction of wetlands and prime agricultural lands; pollution of the water supply resources; or incompatible development in established residential areas.

Adoption

Like any zoning amendment, this would be adopted by ordinance.

Implementation Strategy

This zoning technique should be implemented with a zoning ordinance amendment as part of a comprehensive set of amendments to local zoning ordinances, to be adopted as soon as reasonably practicable after adoption of the Plan. The most immediate proposed uses of overlay zones are for:

- Possible economic development opportunity sites in rural areas, with the overlay zone providing development standards for large-scale future development without making any change in the current zoning or use of the property.
- Corridor enhancement standards along U.S. 20 and 421 and other key corridors in the County, establishing new standards for signage, landscaping and other features; corridor overlay zoning should be continuous among all jurisdictions along the same corridor in the County; corridor overlay zoning should be coupled with Targeted Infrastructure Investment strategies to upgrade street lighting, sidewalks and other public investments in the corridor.

Administration

Effective administration of an overlay zoning tool is more complex than traditional zoning administration. To make such a system practical, zoning maps should be tied into the County's Geographic Information System, allowing quick and accurate retrieval of all applicable zoning and other site-specific regulations affecting a site.

Advantages

- Zoning district lines do not always match geography or opportunity; through overlay zoning, it is possible to implement strategic initiatives for targeted geographic areas without the political and practical difficulty of massive rezoning.

Disadvantages

- The only disadvantage to overlay zoning is that it increases the complexity of zoning administration.

ZONING ORDINANCE RECOMMENDATIONS

UPDATE OR REWRITE ZONING ORDINANCES – ALL JURISDICTIONS

Establish Basic Consistency Among Ordinances

1. Create common set of definitions
2. Create common parking, landscape and signage provisions
3. Create a common corridor overlay district (see Overlay District recommendation)
4. Consider a common PUD Ordinance
5. Add a Mixed Use District
6. Create greater consistency among types of Zoning Districts – residential, commercial and industrial uses – significant dimensional differences between LaPorte County and Cities; more opportunity between the City of La Porte and Michigan City
7. Establish common flow chart for rezoning and development plan approvals – may vary based on available staffing levels
8. Provide a common percentage of “Administrative” latitude from dimensional standards

ZONING RECOMMENDATIONS – LAPORTE COUNTY

1. Create a “Rural Village” Zoning District that would apply to places such as Hudson Lake and Fish Lake --- areas currently zoned R-3 which would allow multifamily
2. Create an R-E District that requires conservation subdivisions for areas of La Porte County that are designated as Rural Conservation areas
3. Delete multifamily as a permitted use in the unincorporated area of the County (currently permitted in the R-3 Zoning District)
4. Delete the County’s Accommodations District and Shopping Center District
5. Revise the County’s IR Industrial Reserve District to “Light Industrial”

ZONING RECOMMENDATIONS – CITY OF LA PORTE

1. Create a “Main Street” or “Downtown” Zoning District using study area of the Hyett-Palma Downtown Action Agenda 2006
2. Permit residential uses within the downtown by right
3. Create a “townhome” residential classification for the City
4. Delete the unused R-1A Residential District
5. Add an R-E Residential Estate District to permit more estate-sized lots within the City (basing lot size on availability of sewer)
6. Adopt the pending parking lot landscape ordinance
7. Revise the use of PUD’s to relate to developments that are more reflective of “planned unit development”
8. Provide corridor setbacks for future major thoroughfares (i.e. Inner/Outer Loop)

ZONING RECOMMENDATIONS – MICHIGAN CITY

1. Revise the B-1 District to a "Main Street" or "Downtown" Zoning District
2. Delete the Para-Medical District
3. Create a "Sheridan Beach" Zoning District that recognizes the unique density, height, setback, parking and beach access issues – area currently zoned R-2 (see also Lakeshore recommendations)
4. Revise the R-E Residential Estate Zoning District to permit lots of 12,000 sq. ft. if connected to public sanitary sewer and water with required cluster development to maintain rural character (current lot size min. 30,000 sq. ft.)
5. Change the "Agricultural" Zoning District to R-E Residential Estate
6. Change definition of "single family attached or semi-detached" to "townhome"; "two family detached" to "duplex" and revisiting the Zoning Ordinance densities based on bedrooms
7. Reexamine the permitted height limits

ZONING RECOMMENDATIONS – LAND DEVELOPMENT STRATEGY AREAS

EXISTING URBAN AREAS

AREAS AFFECTED: MICHIGAN CITY, LA PORTE, AND TOWNS OF WESTVILLE, WANATAH, LACROSSE AND KINGSBURY

Encourage Infill and Redevelopment

1. Ensure infill standards that promote neighborhood-compatible, pedestrian-friendly commercial development in infill locations
2. Amend zoning to match existing development patterns except where there is a specific public policy goal of changing the character of neighborhoods
3. Eliminate unintended regulatory impediments to redevelopment and infill
4. Plan for brownfields, setting priorities for clean up based on a variety of factors that include the desirability and feasibility of redeveloping particular sites
5. Plan for a variety of housing types, so that it is possible for the private sector and interested nonprofit and public groups to provide housing that is affordable for groups in the population who have limited choices
6. Limit multifamily development to areas within cities and towns served by sewer

PLANNED URBAN EXPANSION AND PLANNED GROWTH AREAS

AREAS AFFECTED: PERIPHERY OF MICHIGAN CITY AND CITY OF LA PORTE AND TOWNS OF WESTVILLE, WANATAH, LACROSSE AND KINGSFORD HEIGHTS

Encourage Greater Residential Densities

1. Increase residential zoning densities where sewer is planned to provide for a fiscally sound pattern of development
 - Residential rezoning ranging from low-density (2 units per acre) up to six or more units per acre in small towns and up to 12 or more units per acre in Michigan City and La Porte
2. In areas planned for public sewer systems, establish minimum development densities

3. Limit multifamily development to areas within cities and towns served by sewer
4. Continue to permit traditional agriculture in the Residential Estate Zoning District, with conversion to residential subdivisions by right when public or community wastewater treatment facilities become available
5. Consider annexing multifamily and intense commercial development into cities that are better able to provide urban services – specifically the area between Michigan City and Interstate 94.

Create compatible Commercial Zoning Districts

1. Commercial zoning regulations should discourage additional strip-commercial development along major roads by:
 - limiting access points to major roads, requiring shared access;
 - requiring concept master plans for entire property holdings before individual tracts are split off;
 - providing incentives for multiple property owners to coordinate development plans
2. Selected intersections of major roads should be considered for zoning for neighborhood commercial uses
2. Neighborhood commercial zoning, with limitations on size (under 20,000 square feet); signage (under 64 square feet), lighting, drive-throughs (prohibited) and large parking lots, at appropriate intersections of collector streets
3. Locate new commercial developments with 20,000 or more square feet (other than agricultural service businesses) along commercial collector streets; where such a development has more than 50,000 square feet, primary access should be from major thoroughfares
4. Provide opportunities for mixed-use development in appropriate areas, with consideration of such design factors as shared parking
5. Ensure that new commercial development is pedestrian friendly

Create compatible Light Industrial Zoning Districts

1. Identify areas that should be zoned as appropriate for light industrial uses
2. Revise zoning provision related to light industrial uses
 - Because many of these are highly visible locations – in some cases located at the visual gateways to the two major cities – industrial zoning regulations should be updated to require landscaping and other visual improvements for new industrial development

PLANNED RURAL ESTATES

AREAS AFFECTED: NORTHEAST AND EAST CENTRAL REGIONS

Establish regulations that permit environmentally sensitive development

1. Require development within this area to be rezoned to “residential cluster development” with
 - requirements that development be planned to avoid and protect wetlands, forest remnants, steep slopes and other environmentally sensitive lands up to 25 percent (or some other reasonable figure) of a total development site
 - shared alternative wastewater treatment systems
2. Encourage increased density of development where it is possible to extend public sewer, thus making more efficient use of land and reducing costs of public services

3. Consider a transitional zoning category for areas where sewer service is planned but where it is not currently available; such regulations should allow limited development of part of a parcel, with shared temporary wastewater systems, then providing for a by-right increase in development intensity on the remainder of the parcel when sewer becomes available in the future
4. Require buffering of direct visibility for subdivisions adjacent to County and State roads to maintain rural image; along interstates and toll roads, require subdivisions to provide or maintain a strong planted or natural buffer
5. Zoning for existing small tracts should have variable setbacks and lot dimensions, with a requirement to develop and build in ways that limit the impact on the area's natural features
6. With the continued growth of residential development in this area, it will be appropriate to designate one or two locations in this area for neighborhood commercial uses
7. Zoning should include a special use permit process to allow camps and other uses that involve long-term stays to have self-contained utility systems and to preserve large tracts of land

PLANNED RURAL INDUSTRIAL AREAS

AREAS AFFECTED: 421 CORRIDOR, SOUTHEAST, AND LA PORTE REGIONS

1. Zoning in this area should provide for continuation of existing industrial uses
2. Because of the mixed character of these areas, all new industrial development should be required to include on-site buffers between the industry and non-industrial uses
3. Heavy industry should be allowed only by special use permit, subject to requirements for direct access to major highway(s) and appropriate performance standards
4. Encourage industry primarily where it can connect to existing sewer systems; light warehousing or other low-impact uses may be appropriate with on-site treatment systems
5. Residential development proposed within 500 feet of an existing industrial activity should be required to include on-site buffer between it and the industrial site

TRADITIONAL AGRICULTURAL AREAS

AREAS AFFECTED: SOUTH, SOUTHEAST AND EAST CENTRAL REGIONS

NOTE: AGRICULTURAL ACTIVITIES IN OTHER REGIONS ARE GENERALLY ON SMALLER PARCELS

1. Create two classifications of Agriculture Districts – in areas of the most intensive agricultural uses minimum parcel sizes of 80 - 160 acres; in moderately intense agricultural areas minimum parcel sizes of 40 - 80 acres
2. Amend the Zoning Ordinance to limit additional residential development along County roads
3. Amend the Zoning Ordinance to allow all forms of traditional agriculture by right
4. Amend the Zoning Ordinance to allow intensive (animal) agriculture by special permit, subject to objective standards
5. Amend the Zoning Ordinance to allow subdivisions only by special use permit, to preserve larger parcels of land for continued agricultural use
6. Require buffering of direct visibility for subdivisions adjacent to County and State roads to maintain rural image; along interstates and toll roads, require subdivisions to provide or maintain a strong planted or natural buffer

7. Redesignate areas in which agriculture is no longer viable, because of small parcel sizes or development pressures, to "Rural Estates" (see separately), "Light Industrial" or other zoning designation

RURAL VILLAGES

AREAS AFFECTED: COMMUNITIES OF FISH LAKE, HANNA, HUDSON LAKE, ROLLING PRAIRIE AND UNION MILLS

1. Revise existing county zoning districts to prohibit multifamily development within these areas
2. Prohibit rezoning for subdivisions in areas where public water and sewer are not provided
3. With the continued growth of residential development in this area, it will be appropriate to designate one or two locations in this area for neighborhood commercial uses

AIRPORT INFLUENCE AREAS

AREAS AFFECTED: MICHIGAN CITY AND LA PORTE AIRPORTS

Create Airport Overlay District to effectively implement provisions of Ind. Code §8-22-2-9

1. Prohibit schools, religious institutions, nursing homes and other facilities that include large concentrations of people within all parts of these areas where FAA studies suggest that there is an increased risk of hazards resulting from take-offs and landings
2. Prohibit tall buildings and towers that may interfere with aviation operations
3. Prohibit land uses that would attract large numbers of birds, such as waste disposal and feed lots
4. Limit zoning for subdivision development within the approach zones

ECONOMIC OPPORTUNITY OVERLAY AREA(S)

AREAS AFFECTED: POSSIBLE AREAS INCLUDE UNDEVELOPED AREAS WITH GOOD RAILROAD AND MAJOR HIGHWAY ACCESS FOR POSSIBLE LIGHT INDUSTRIAL OR WAREHOUSE DEVELOPMENT

Create an Economic Opportunity Overlay District

1. Create an Economic Opportunity Overlay District, but do not place it on land-use or zoning maps at this time
2. Underlying agricultural zoning should remain in place to allow continued agricultural use until such time as a development is approved
3. Establish basic criteria for approval of a development in this area:
 - a. Minimum site size of 500 (or more) contiguous acres
 - b. Direct access to one or more state or federal highways, or financial guarantees in place to provide such access prior to start up of operation
 - c. Fiscally viable plan for wastewater treatment (which could simply be a signed agreement for treatment with an existing provider with adequate plant capacity)
 - d. General phasing plan for the development, to show how the phasing of development will be accompanied by the phasing of necessary public improvements
 - e. Adequate buffers from adjacent residential areas
4. Provide for over-all approval of a Development Concept Plan, that would provide County, developer and other affected parties with information about types of uses, general locations of uses, access, wastewater treatment, and stormwater management

- Ordinance should then provide for review of Development Plans for individual phases of the project (see Burns Ind. Code §36-7-4-1400 for provisions regarding Development Plan review)
 - Rights to entire project should be vested as long as developer adheres generally to approved (or amended) Concept Plan – in other words, once the project concept has been approved, all future reviews would be technical, not “go” or “no go” decisions
5. Provide for general limitation of uses in overlay district, consistent with probable activities in a logistics facility
- Prohibit residential uses (limits traffic conflicts and neighbor complaints)
 - Limit uses to those that are consistent with the proposed development (limits traffic and land use conflicts)
 - Ban high-impact industrial uses, such as oil refineries, slaughterhouses, explosives manufacturing
 - Prohibit high-impact industrial uses, such as oil refineries, slaughter houses, explosives manufacturing
 - Expressly allow value-added agricultural industry that may provide economic connection between new facility and existing agricultural economy

ZONING RECOMMENDATIONS – LAKESHORE COMMUNITIES

AREAS AFFECTED: MICHIGAN CITY, LONG BEACH, MICHIANA SHORES, POTTAWATTAMIE PARK

Create New Lakeshore Zoning District

1. Update zoning along Lakeshore to protect neighborhoods, require development compatible with Marquette Plan
2. Create a “Sheridan Beach” Zoning District that recognizes the unique density, height, setback, parking and beach access issues – area currently zoned R-2
3. In communities along the lakeshore, faced with tear-downs and intense infill, implement neighborhood preservation zoning in selected areas, to preserve traditional neighborhoods
4. Adopt zoning and subdivision standards that encourage neighborhood-compatible, pedestrian-friendly development

ZONING RECOMMENDATIONS – DOWNTOWNS

AREAS AFFECTED: MICHIGAN CITY AND CITY OF LA PORTE

Update Downtown Zoning Districts

1. Review ordinances to ensure that existing buildings can be replaced with buildings of similar size, scale and design, except in locations where there is a conscious policy decision to change the character of the area
2. Review standards for off-street parking and on-site stormwater management in the context of public plans for such facilities downtown
3. Allow residential and office uses above street level, subject to applicable building codes

4. Ensure that ordinances provide opportunities for other mixed-use development in appropriate areas, with consideration of such design factors as shared parking
5. Ensure that most new commercial development is pedestrian friendly

ZONING RECOMMENDATIONS – OVERLAY DISTRICTS

AREAS AFFECTED: CORRIDORS WITH GREATEST DEVELOPMENT PRESSURE - U.S. 20, U.S. 421, S.R. 2, U.S. 35, U.S. 6, S.R. 39

Consider Zoning Overlay for these areas

1. Create corridor overlays for a consistent set of standards for signage, landscaping and other improvements along major corridors, particularly along U.S. 20, U.S. 30, U.S. 421 and S.R. 2
2. Create an environmental overlay for areas along sloping and sensitive topography on both sides of the Continental Divide that would require clustering and variable setbacks and lot dimensions, with other requirements to limit impact on the natural features
3. Consider a "distribution/warehousing overlay for areas along 421 south of PNC

SUBDIVISION REGULATIONS RECOMMENDATIONS

UPDATE OR REWRITE SUBDIVISION REGULATIONS – ALL JURISDICTIONS

Establish Basic Consistency Among Regulations

1. Require stormwater quality management plans, as well as management of quantity, for all new subdivisions; require pre-treatment in designated areas
2. Impose restrictions on modification of non-state waters and wetlands through the subdivision process
3. Require roadway connection or provision for future connections to adjacent subdivisions
4. Require dedication of collector roadways planned to pass through any area being subdivided
5. Require dedication of trail rights-of-way planned to pass through any area being subdivided
6. Require pedestrian and bicycle connections to trail systems where practicable for subdivisions
7. As the County and the cities and towns continue to develop parks and begin to implement a trail system, seek to connect open spaces along ecological corridors

SUBDIVISION RECOMMENDATIONS – PUBLIC FACILITIES STANDARDS

1. Establish policies for new residential development to be connected to existing public wastewater systems, be connected to alternative wastewater treatment facilities or be designed with dry lines for future waste water service
2. Establish new standards and incentives for alternative wastewater treatment systems to include constructed wetlands, managed package treatment plants, and low-volume collection systems
3. Allow new light industry with individual treatment systems only where there is effective long-term management plan
4. Require all new developments to include stormwater management plans to address water quality issues
5. Require subdivisions with more than 50 units to be within a 15-minute walk via sidewalks to two of the following: a recreational facility; a restaurant; a convenience store; a general retail use; and/or a railroad or bus stop
6. Establish standards for developing a collector system of roadways between newly developed neighborhoods, thus reducing the reliance on city and county major roadways
7. Initiate parkland dedication or parkland impact fees to increase the inventory of park acreage and open space

SUBDIVISION RECOMMENDATIONS – DESIGN STANDARDS

1. In all areas other than the Planned Rural Estates and Traditional Agricultural Areas, require walkable, user-friendly neighborhoods, in which residents have the choice to walk to schools, nearby institutions, and at least basic commercial services
2. Significantly limit residential subdivisions within traditional agricultural areas
3. Require Special Use Permits for new residential subdivision within the Planned Rural Estate and Traditional Agricultural areas of the Plan
4. Require development within the Planned Rural Estate area of the Plan to developed as "residential cluster" subdivisions with

- a. requirements that development be planned to avoid and protect wetlands, forest remnants, steep slopes and other environmentally sensitive lands up to 25 percent (or some other reasonable figure) of a total development site
 - b. shared alternative wastewater treatment systems
5. Prohibit or severely limit new lot splits or small subdivisions from larger parcels so that there is more opportunity for creative cluster subdivisions and for innovative community wastewater treatment systems
6. Increase the required minimum lot widths for parcel splits that occur along county, state and U.S. highways --- creating a hierarchy of required lot widths based on the roadway characteristics – amending the County Thoroughfare Plan to reflect the hierarchy; current ordinance sets lot widths at a minimum of 200 feet for individual parcels (not in a subdivision) accessing county roads
7. Maintain existing County road system primarily for agricultural use by prohibiting creation of new lots along county roads

SUBDIVISION RECOMMENDATIONS – ECONOMIC OPPORTUNITY OVERLAY

AREAS AFFECTED: POSSIBLE AREAS INCLUDE AREA AROUND UNION MILLS AND AREA INCLUDING FORMER ARSENAL

Specific Design Requirements

1. General development design should be shown on “Concept Plan” approved as part of zoning process; subdivision review should simply ensure implementation of that plan
2. At subdivision stage, if not earlier, ensure that all financing arrangements for public improvements are in place:
 - a. Implementation of this overlay should be conditioned on firm financing arrangements for public sewer, community water and major road improvements adequate to serve the proposed development; financing may come from land owners, developers, proposed users, the State of Indiana, LaPorte County, one or more cities or towns, or some combination thereof
 - b. Firm financing arrangements to extend public sewer service to the area or to build a new plant
 - c. Contract or other arrangement for public management of any new sewer plant – either by contract with an existing city or town with such management capability or by a County Sanitary District
 - d. Firm financing for road improvements adequate to handle projected exterior and interior traffic

SUBDIVISION RECOMMENDATIONS – LAKESHORE COMMUNITIES

1. Impose new subdivision and development plan standards to provide access to and compatibility with Marquette Plan recommendations, as they become available
2. Through subdivision and development plan ordinances, impose new stormwater standards to require management of quality of stormwater discharges, as well as quantity limitations

SUBDIVISION RECOMMENDATIONS – ENVIRONMENTAL STANDARDS

1. Establish setbacks and buffers for new developments from identified streams, lakes and wetlands
2. Restrict residential subdivisions within floodplains

3. Institute "eco-friendly" development standards for areas where the Northwestern Moraine Forest Legacy Areas are located
4. Encourage the use of "design with nature" techniques
5. Protect areas along sloping and sensitive topography on both sides of the Continental Divide by requiring clustering and to create variable setbacks and lot dimensions, with other requirements that limit the impact on the natural features
6. Require stormwater improvements that protect the water quality of surface and subsurface waters, as well as managing the quantity of runoff
7. Limit hydromodification of non-state waters (state waters are already protected)

OTHER TECHNIQUES

LAND ACQUISITION PROGRAMS

Description

The cities, towns and County, in cooperation with state agencies and nonprofit groups, would actively seek to acquire fee and less-than-fee interests in selected lands in the cities, towns and County.

Purposes

Although LaPorte County benefits from state and federal ownership of land in the Indiana Dunes, and there is a system of city and county parks, the total amount of land owned by the public sector in LaPorte County is small. One of the recurring themes that arose in the planning process was the need to protect wetlands, greenways, forest legacy areas, floodplains, habitats, buffers and other areas from development. Although land-use controls can be used to guide and even limit development, the only certain way to prevent development of sensitive lands is for a public agency or compatible nonprofit organization to acquire the lands and set them aside for such a purpose.

Adoption

This would be authorized by City Council or the Board of County Commissioners as a policy, with appropriate action (as advised by the city or county attorney) on each acquisition.

Implementation Strategy

There are really three forms of acquisition that the local entities should consider: active solicitation of gifts; purchase of fee interests; and purchase of less-than-fee interests such as scenic easements or non-development easements. In addition, governmental entities may want to cooperate with interested private sector groups to reinforce the efforts of existing organizations that preserve land and to create a broad-based land trust for the LaPorte County area. Save the Dunes has been active in land acquisition in the area, as have other organizations. The Nature Conservancy remains interested in lands along the Kankakee and in selected sensitive lands in the northern part of the County. The Indiana Department of Natural Resources owns preserve land in the County, and the U.S. Department of the Interior controls the federal portion of the Indiana Dunes. Thus, there are multiple potential partner agencies for such a program.

Administration

Both cities and the county already own land that is designated for passive recreation or that falls in some other protected status. Thus, there are existing departments within local government that have the ability to manage protected lands.

Advantages

- Owning land is absolutely the most certain way to ensure that it remains undeveloped.
- Most communities with significant greenbelt programs have used this approach.
- This approach can supplement appropriate large-lot and cluster zoning in sensitive areas.

Disadvantages

- Such a program costs money.

CONSERVATION EASEMENT PROGRAMS

Description

Conservation Easement programs involve easements restricting development. Conservation easements, which are specifically authorized by Indiana law, are the legal technique used to implement programs for purchasing development rights, sometimes called "PDR." Conservation easements may be acquired by a public entity, such as a city, town or county, or by a land-trust or other nonprofit organization established for that purpose.

Purposes

The conservation easement accomplishes three inter-twined goals:

1. It leaves land in private ownership and on the tax rolls;
2. It significantly or completely restricts development on the property; and
3. It provides the property owner with compensation for the restriction, thus recognizing the economic value of property rights.

Land to which the public may want access should be acquired in fee simple interest. Land that the public simply wishes to restrict from development may be acquired through the use of this technique. Note that conservation easements are sometimes given by gift to a nonprofit or governmental entity, resulting in some tax benefit to the property owner who makes the gift.

Adoption

Conservation easements are already authorized under Indiana law. The cities or the County can adopt the use of this technique by policy as part of—or instead of—a land acquisition policy.

Implementation Strategy

There are really two forms of acquisition that local entities should consider: active solicitation of gifts; and purchase of conservation easements. In addition, governmental entities may want to cooperate with interested private sector groups to reinforce the efforts of existing organizations that preserve land and to create a broad-based land trust for the LaPorte County area.

Administration

This program could easily be tied into existing programs of ownership of open space.

Advantages

- Conservation easement on property is almost as sure a way of protecting land as owning it.
- Property subject to a conservation easement can remain in productive private use in agriculture or other activity not involving development.
- Property subject to a conservation easement remains on the tax rolls, although usually at a significantly reduced value.
- Most communities with significant greenbelt programs have used this approach.
- This approach can supplement appropriate large-lot and cluster zoning in sensitive areas.

Disadvantages

- Some (but not all) acquisitions will cost money.

COMMUNITY DEVELOPMENT

Description

Successful revitalization of an economy, a community or a downtown requires a pro-active public role. Traditionally, "community development" has been applied to the role of local governments in helping to finance housing and providing neighborhood improvements to revitalize disadvantaged neighborhoods. Today, it is important to recognize that local governments may take a role in financing infrastructure for economic development and strategic improvements in a downtown area, land acquisition for important private projects, and more traditional items like housing and neighborhood improvements. All of this falls under the general category of "community development" as the term is used in this report.

Purposes

- Revitalizing urban neighborhoods
- Providing for a diversity of housing types
- Maintaining vital downtown areas
- Expanding the economic base
- Implementing strategic plans, such as the Marquette Plan
- Coordinating transportation systems with above efforts

Adoption

Community development programs are adopted in multiple ways. Local governments that receive federal funding for community development must go through a prescribed planning and allocation process. Community development initiatives are sometimes strategic ones that arise unexpectedly and that require out-of-cycle budget allocations. Some community development initiatives simply require commitments of the time of staff and public officials. A successful community development program is an attitude and commitment on the part of local government as much as it is a specific policy or operating agenda.

Implementation

Maintaining viable downtowns in both City of La Porte and Michigan City is important to the entire County. The City of La Porte's recent "Downtown Action Agenda 2006" is a significant step toward reinvigorating the business climate of the downtown by identifying the market niche the area could possibly capture of the County's retail, office and residential uses. A healthy and appealing Downtown also serves to further stabilize and enhance the adjacent, long-established residential areas surrounding the Downtown. The Michigan City has undertaken a number of initiatives to improve its downtown, one of which is improving multi-modal transportation connections.

The NIRPC-coordinated Marquette Plan includes significant recommendations to revitalize and enhance the Lake Michigan shoreline. Successful implementation will require significant public and public-private partnerships. Local governments will need to allocate funding for acquisition of strategic parcels, development of public trails and access points, and creation of pedestrian and automobile linkages. There will be opportunities for strategic partnerships with private enterprise to create compatible private uses.

Economic development in the County will require cooperation by all major local governments. A large new job-generating project in LaPorte County might involve adjustment to NIRPC plans for transportation systems, INDOT investments in road improvements, zoning decisions by LaPorte County, an intergovernmental agreement with the City of La Porte or the Michigan City Sanitary District (depending on the location of the proposed facility) to handle wastewater treatment, and cooperative efforts to build connecting roads and other necessary facilities.

Although there is a surplus of housing in LaPorte County at this time, continued second-home development along Lake Michigan has displaced residents and is encroaching on what were once viable working-class neighborhoods. Michigan City and its neighbors must be proactive in the traditional community development role of seeking partnerships to provide housing for those for whom the private sector does not or cannot provide. Both Michigan City and the City of La Porte have on-going commitments to neighborhood revitalization – programs that must continue.

Advantages

The only way to achieve many of the goals of this Plan today involve public-private cooperation, a type of activity that falls under the broad definition of community development.

Disadvantages

Community development can be expensive. Because it may involve a significant allocation of resources to a particular geographic area or a particular cause, it may be politically contentious. Elected officials must be prepared to deal with these issues.

INTERGOVERNMENTAL AGREEMENTS

Although included as an implementation technique, intergovernmental agreements do not represent a truly separate technique. They represent an effective way to coordinate implementation of most of the techniques listed here across jurisdictional boundaries and across substantive areas—thus coordinating actions of schools and sewer providers, city and county, special districts and planning entities.