



Westfield City Council Report

Ordinance Number:	14-26 (the "UDO")
APC Petition Number:	1407-ZOA-01
Requested Action:	Approval of an Ordinance to Repeal Existing Zoning and Subdivision Ordinance and Adopt a Replacement Westfield-Washington Township Unified Development Ordinance.
Exhibits:	<ol style="list-style-type: none">1. Staff Report2. APC Certification3. Unified Development Ordinance4. Detailed Summary
Prepared by:	Jesse M. Pohlman, Senior Planner

PETITION HISTORY

The UDO was introduced at the June 9, 2014, City Council meeting. The UDO was then introduced at the June 16, 2014, Advisory Plan Commission (the "APC") meeting, followed by opportunities for public comment at the July 21, 2014, Plan Commission meeting, and the August 4, 2014, Plan Commission public hearing. The APC forwarded the Ordinance, as revised, to the Westfield City Council (the "Council") with a favorable recommendation for approval at its September 2, 2014, meeting. The APC Certification is included at **Exhibit 2**.

PROCEDURAL

- Procedures to repeal an existing zoning ordinance and adopt a replacement zoning ordinance are established by Indiana Code (I.C. 36-7-4-600, et seq.).
- Replacement zoning ordinances are required to be considered at a public hearing. Opportunities for public comment for this petition were provided at the July 21, 2014, Plan Commission meeting, and the August 4, 2014, Plan Commission public hearing.
- At its September 2, 2014, meeting, the APC issued a favorable recommendation of the UDO to the Council.
- The Council may take action on this item at its September 8, 2014, meeting.

OVERVIEW

The existing Westfield-Washington Township Zoning Ordinance (the "Existing Ordinance") was initially adopted in 1977 and applies to all of Washington Township. Since then, various amendments have been considered and adopted over the years to address issues resulting from growth in the community.

Last year, the Economic and Community Development Department (the "Department") was charged by the community leadership with the following with regard to the Existing Ordinance:

- 1) Increase procedural efficiencies and predictability in the development process.
- 2) Create a user-friendly document that is easy to navigate, easy to understand, and electronically portable (as this document can provide the first impression for those that may be investing in our community).
- 3) Incorporate revisions to standards that need immediate attention while providing a structure for easy annotation of future "patches" to the ordinance that may be needed.
- 4) Take a holistic approach to modernize the document and to ensure standards are clear and do not conflict internally to the document, and that verbiage and terminology is being used consistently throughout the document.

In response, the Department reformatted the Existing Ordinance and began working with the Public Works Department and the Council's Committee on Ordinance Revisions ("Hoover Commission") to begin reviewing the reformatted ordinance and proposed revisions to further the above objectives.

The result of those efforts is the reformatted ordinance, which is being called a "Unified Development Ordinance" (or "UDO"), which simply refers to the fact that the reformatted ordinance combines both the zoning and subdivision ordinances into a single book (much like the Existing Ordinance is today).

Approximately eighty-five percent (85%) of the changes in the UDO from the Existing Ordinance are reformatting and grammatical/draftsmanship changes, while roughly fifteen percent (15%) of the changes modify standards or create new sections in the ordinance. **Please note this process and ordinance will not change the zoning of any property nor will it modify the existing zoning map.**

A detailed overview of the UDO was presented by the Department at the Plan Commission's June 16, 2014, meeting and the associated written overview summary of the UDO is provided at [Exhibit 4](#).

PUBLIC COMMENTS

Since the introduction of the UDO to the Council, the Plan Commission has held four (4) public meetings. In addition, the Department has had several meetings with various interested individuals regarding questions and comments, as well as several working meetings with the Council's Committee. Revisions to the UDO were considered and incorporated into the attached Ordinance, as certified by the APC. A summary of those revisions can be found [here](#).

STATUTORY CONSIDERATIONS

Indiana Code 36-7-4-606 establishes the procedure to adopt a replacement ordinance, which provides:

1. At the first regular meeting of the Council after the APC certifies the proposal, the Council shall either: (a) adopt, reject, or amend the Ordinance; or (b) decide to further consider the proposal.
2. If the Council adopts the proposal, then the Ordinance takes effect as other ordinances of the Council.
3. If the Council rejects or amends the Ordinance, then it is required to return to the APC for its consideration, with a written statement of the reasons for the rejection or amendment.

RECOMMENDATIONS/ACTIONS

APC Recommendation

At its September 8, 2014, meeting, the APC forwarded a **favorable recommendation** of Ordinance No. 14-26 (APC Petition No. 1407-ZOA-01) to the Council (Vote of: 6 in favor, 0 opposed).

City Council

Introduction: June 9, 2014

Eligible for Adoption: September 8, 2014

Submitted by: Jesse M. Pohlman, Senior Planner
Economic and Community Development Department