

ORDINANCE NO. 2015- 27

An Ordinance to Amend the City of Hobart Municipal Code Concerning Residential Parking and Parking-Related Structures

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") has taken notice of a number of instances in which the current Municipal Code of the City ("Code") fails properly to regulate the parking of vehicles at or near residential properties of the City; and

WHEREAS, the Council also notes instances where the Code prohibits common practices relating to residential parking which are not harmful to the peace and health of the City and the elimination of which will result in proper enforcement of other existing Code provisions which govern parking and structures related thereto; and

WHEREAS, certain other residential parking-related structures and practices should be the subject of regulation by ordinance and the Council believes that these should be the subject of immediate regulation; and

WHEREAS, the Council desires, through this Ordinance, to address these matters legislatively and to spread same upon the public record.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana as follows:

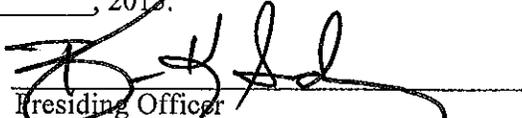
SECTION ONE: The Municipal Code of the City of Hobart, Indiana ("Code") is hereby amended by striking out paragraph (3) of subsection (A) of §154.358, such subsection entitled "*Use of parking facilities,*" and inserting in lieu thereof the following new paragraph (3) of subsection (A):

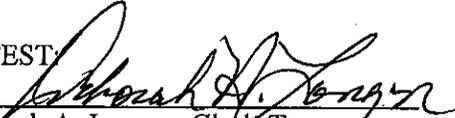
(3) On residential parcels of less than ten thousand square feet (10,000 sq. ft.), a single trailer, or on residential parcels of ten thousand square feet (10,000 sq. ft.) or more, and less than two (2) acres, up to two (2) trailers, or on residential parcels of 2 acres or more, up to five (5) trailers, that are owned by the resident and in operating condition may be parked on driveways and off-street parking locations of detached single dwellings or multi-units in R-1, R-2 and R-3 zoning classifications and in rear or side yards of same on any surface unless forbidden by applicable restrictive covenants.

SECTION TWO: This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36-3-4-6-14(b) in two newspapers of general circulation published within the City pursuant to I.C. §5-3-1-4 (a).

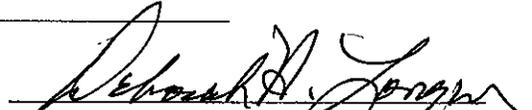
SECTION THREE: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 7th day of October, 2015.


Residing Officer

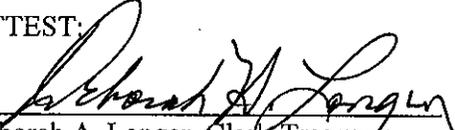
ATTEST:

Deborah A. Longer, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 7th day of Oct., 2015 at the hour of 7pm.


Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 7th day of October, 2015.


Brian K. Snedecor, Mayor

ATTEST:

Deborah A. Longer, Clerk-Treasurer.

**CERTIFICATION AND REPORT TO
COMMON COUNCIL OF THE CITY OF HOBART ON
AMENDMENT OF THE ZONING ORDINANCE**

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Sergio Mendoza
City Planner

RE: Change to be made to the Zoning Ordinance, Chapter 154
Sec. 154.358; Use of Parking Facilities

DATE: October 5, 2015

PETITIONER: City of Hobart Plan Commission
414 Main Street,
Hobart, Indiana 46342

REQUEST: To Amend Chapter 154 of the Hobart Municipal Code
Sec. 154.358; Use of Parking Facilities

PLAN COMMISSION PETITION NO.: 14-01C

DATE OF PLAN COMMISSION ACTION: October 1, 2015

DEADLINE FOR COMMON COUNCIL ACTION: December 30, 2015

CERTIFICATION

ACTION TAKEN BY PLAN COMMISSION:

The Hobart City Plan Commission by a majority vote recommended that its **Petition No. 14-01C** be adopted and that the Chapter 154 of the Municipal Code, Entitled "Zoning", be amended by modifying the zoning regulation thereto, Sec. 154.358; Entitled "*Use of Parking Facilities*"

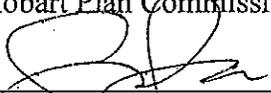
The Plan Commission commenced a duly advertised Public Hearing on September 8, 2015 to hear public comment from interested persons on the proposed amendment to Chapter 154 of the Municipal Code of the City of Hobart, entitled "Zoning"; and

(Recommendation to the Common Council to Approve the change as requested
(Favorable Recommendation)

CONDITIONS: Noting a discrepancy in the language regarding vehicle registration

VOTE: 7-0

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.



Sergio Mendoza, City Planner
CITY OF HOBART

MEMORANDUM

DATE: OCTOBER 5, 2015

TO: HOBART COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY ANTHONY DEBONIS

FROM: SERGIO MENDOZA, CITY PLANNER 

RE: Petition to Amend the Hobart Zoning Ordinance, Chapter 154 of the Hobart Municipal Code, Sec. 154.358 "Use of Parking Facilities"

Below please find the minutes of the Plan Commission meetings regarding Petition 14-01C

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION'S MEETING OF OCTOBER 1, 2015 FOR PETITION 14-01C:

Mr. Mendoza explained the Common Council forwarded amendments to the proposed parking ordinance to remove the words "or more" and add "and less than two (2) acres, up to two (2) trailers, or on residential parcels of 2 acres or more, up to five (5) trailers" in Section One (3).

Mr. Kara noted that in the amended Ordinance 2015-11, Section One (A) (2) "and must have current registration" has been stricken out. He questioned a conflict of interest in regards to Ord. 2013-35 Sec. 150.11 Duty to Maintain Property (A) (4) which states vehicles, trailers, etc. are required to be licensed and registered in the State of Indiana.

Ms. Galka opened and closed the Public Hearing for Petition 14-01C without public comments.

Mr. Allen made a motion for a Favorable Recommendation to the Common Council for Petition 14-01C noting a discrepancy in the language regarding to the registration of vehicles including all discussion, seconded by Mr. Kara. All ayes, motion carried. (7-0)

Please add to agenda beyond

those you —

Regular meetings are held on the 1st and 3rd Wednesdays of each month in the Council Chambers, 2nd floor, Hobart City Hall

CITY OF HOBART

AGENDA ITEM REQUEST FORM
(PLEASE PRINT)

MEETING DATE: 10/17/15

BOARD OF PUBLIC WORKS (4:00p.m.)
 COMMON COUNCIL (6:00p.m.)

ITEM TO BE ADDED TO AGENDA: PC 14-012 AVENUES PARKING OAD

BRIEF DESCRIPTION OF REQUEST FOR CONSIDERATION _____

SEC. 154.358

SUPPORTING DOCUMENTATION ATTACHED MEMO, CERTIFICATION &

Report & OCA

REQUEST SUBMITTED BY: Jay

ADDRESS (DEPARTMENT): PLANNING / ZONING

PHONE NUMBER (EXT.): _____

DATE SUBMITTED: 10/15/15