

1 **#ZORD-2023-0003**

2 **BILL NO. G-23-08-03**

3 **ORDINANCE NO. G- 23-23**

4 **AN ORDINANCE amending Chapter 157**  
5 **of the City of Fort Wayne Municipal Code**

6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

7 SECTION 1. That the current Chapter 157 (Zoning Ordinance), Section 157.113 (Overlay Districts);  
8 Section 157.218 (Zoning Districts - DC Downtown Core); Section 157.219 (Zoning Districts - DE  
9 Downtown Edge); Section 157.301 (Development Plans); Section 157.302 (Site Plan Review); Section  
10 157.402 (Accessory Structures and Uses); Section 157.404 (Development Design Standards); Section  
11 157.407 (Parking); Section 157.408 (Landscape Standards); Section 157.410 (Riverfront Overlay District  
12 [new section]); and Section 157.506 (Definitions) are hereby amended as follows.

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14 Amendment OD1 - 157.113

15 To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has  
16 been created; added the Riverfront Overlay District to the list of overlays included in the Zoning  
17 Ordinance.

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19 Amendment PUR1 - 157.218(A)(2) and 157.219(A)(2)

20 It may be unclear that properties in the DC and DE districts are also subject to the Riverfront Overlay  
21 standards; added a reference to the purpose statements to clarify that DC and DE zoned properties in the  
22 Riverfront Overlay District are subject to additional standards in §157.410.

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24 Amendment PU1 - 157.218(B) and 157.219(B)

25 It is not clear where outdoor entertainment facility fits in the DC and DE districts; added “(including  
26 outdoor)” to the existing Entertainment Facility use in DC and DE.  
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Amendment PU2 - 157.218(B) and 157.219(B)

It is not clear where a professional office fits in the DC and DE districts; added "Office, professional" as a specific permitted use in DC and DE.

Amendment PU3 - 157.218(B) and 157.219(B)

The updated Design Manual includes revised standards and uses for drive-through facilities; removed "including drive-through" from the restaurant permitted use in DC and DE.

Amendment PU4 - 157.218(B)

It is not clear if a Townhouse Complex is a permitted use in the DC district; added Townhouse Complex as a specific permitted use in the DC district.

Amendment SU1 - 157.218(C)(2) and 157.219(C)(3)

To allow for additional uses that create a lively pedestrian environment and a destination for the community; a Special Use has been added in the DC and DE districts for Riverfront Overlay District properties: "Artisan space (available in the Riverfront Overlay District only, to allow for an artisan space use not otherwise listed)".

Amendment SU2 - 157.218(C)(10), 157.219(C)(18), and 157.220(C)(13)

Parking structures can impact the pedestrian-oriented environment downtown and in urban corridors; modified the existing Special Use language in DC, DE, and UC districts to reference the updated standards to clarify that the Board shall evaluate requests based on the standards and guidelines in §157.404(X)(n)(iv).

Amendment SU3 - 157.218(C)(15) and 157.219(C)(23)

The updated Design Manual includes revised standards and uses for drive-through facilities; added a Special Use in the DC and DE districts for a: "Restaurant with drive-through facility (shall only be permitted to be considered as a special use on lots which adjoin an arterial roadway)."

Amendment DS1 - 157.218(E)(1) and 157.219(E)(1)

The height and setback development standards in the DC and DE districts are not aligned; the DC and DE development standards tables have been aligned, including the applicable notes; the tables have been removed and replaced.

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Amendment PS1 - 157.218(E)(2) and 157.219(E)(2)

The updated Design Manual includes revisions to the standards for fences and walls; the DC and DE Additional Yard Location and Yard Projection Standards tables have been updated; the tables have been removed and replaced.

Amendment DP1 - 157.301

The Design Review Process has been revised; added: "including the Riverfront Overlay District" to the purpose in this section 157.301(A)(3); and deleted: "projects requiring Design Review in DC and DE districts" from the Development Plan When Required table in this section 157.301(B)(1).

Amendment SP1 - 157.302(G)(4)

"Downtown Design Manual" is a defined term, but the term is not always used this way in the Ordinance; added the word "Downtown", and updated the reference to Downtown Design Manual by adding "Downtown" throughout Chapter 157 to align with the defined term.

Amendment ACC1 - 157.402(B)(3)(e)(ii)[B]

The updated Design Manual includes revisions to the standards for fences and walls; added item (e)(ii)[B] to the exceptions to fence and wall standards: "[B] In the DC and DE districts, an ornamental fence, as defined herein, not exceeding four (4) feet in height may be located in the required front yard with no minimum setback, subject to the corner visibility provisions in this ordinance."

Amendment DDS1 - 157.404(B)

It needs to be clear when the Riverfront Overlay District standards will apply to development proposals; added "Riverfront Overlay District (DC and DE)" to the table, reference §157.404(Y) and added checkmarks to make it clear that these standards are applicable to Development Plans and Site Plans.

Amendment DDS2 - 157.404(R)(2)

It was unclear when uplighting could be permitted within the DC and DE districts; added a standard to clarify when uplighting can be permitted (updated standard is applicable to all districts): "(b) Uplighting shall be permitted provided the light fixture is directed and shielded so that no light is emitted beyond the building façade."

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Amendment DDS3 - 157.404(W)(7)

To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created as a part of this amendment; added “§157.410 (Riverfront Overlay District Standards),” to the existing language to make it clear that the applicable provisions apply.

Amendment DDS4 - 157.404(X)

As a part of the new Downtown Design Manual, a series of ordinance amendments is also proposed to the DC and DE districts; modified the existing language to clarify that “downtown” is DC and DE.

Amendment DDS5 - 157.404(X)(1)(a)

There is a new Fort Wayne Comprehensive Plan (the All In Allen Plan was effective as of March 13, 2023); Updated language to reflect the new All In Allen Comprehensive Plan and the following amendments to the All In Allen Plan: Fort Wayne Action Plan: Blueprint for the Future and the Riverfront Development Implementation Framework.

Amendment DDS6 - 157.404(X)(2) and (3)

An updated Design Review Process has been created as a part of this project; text has been updated to reflect the addition of the Riverfront Overlay District applicability and Board of Zoning Appeals applicability to the Design Review Process. The Design Review Process table has removed and replaced.

Amendment DDS7 - 157.404(X)(4)(b)

The updated Downtown Design Manual includes revisions to the standards for balconies; increased the minimum height for balconies from 8 feet to 15 feet.

Amendment DDS8 - 157.404(X)(4)(c)

The updated Downtown Design Manual includes revisions to the standards for building additions; updated language to clarify that all additions to existing buildings and new connected parking structures shall be compatible with that building, in terms of material, type, color, pattern, and durability.

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Amendment DDS9 - 157.404(X)(4)(e)

The updated Downtown Design Manual includes revisions to the standards for building materials; deleted: "In the DC district, a" to make this standard apply to both DC and DE Updated language throughout §157.404(X) to clarify applicability for new construction.

Amendment DDS10 - 157.404(X)(4)(f)

The updated Downtown Design Manual includes revisions to the standards for cornices; added: "(j) A flush or projecting horizontal band of a different material, color, or pattern shall be provided at the top of buildings to provide a visual termination and provide visual definition to the top of the building."

Amendment DDS11 - 157.404(X)(4)(g)

The updated Downtown Design Manual includes revisions to the standards for drive-through facilities; required design compatibility with the primary structure, and updated and streamlined language to clarify that locational standards apply to drive-throughs proposed with a new primary structure and additions to existing primary structures.

Amendment DDS12 - 157.404(X)(4)(h)

The updated Downtown Design Manual includes revisions to the standards for entrances; updated and aligned entrances language to clarify the design standards for new construction.

Amendment DDS13 - 157.404(X)(4)(i) through (m)

There is confusing language regarding applicability of design standards for new construction; updated and aligned language to clarify the design standards applicability for new construction by removing: "for new residential and mixed-use buildings" and "for new residential buildings".

Amendment DDS14 - 157.404(X)(4)(n)

Parking structures can impact the pedestrian-oriented environment downtown; created and revised design standards for parking garages including screening requirements (with architectural features or compatibility to the main or adjacent structure).

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Amendment DDS15 - 157.404(X)(4)(o)

Site lighting standards within the Downtown Design Manual and 157.404(X)(5)(o) were repetitious compared to the existing Development Design Standards for Site Lighting (157.404(R)); streamlined and removed repetitious standards from 157.404(X)(5)(o).

Amendment DDS16 - 157.404(Y) Riverfront Overlay District

To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created; added §157.404(Y) Riverfront Overlay District to make it clear that: All development proposals shall also be subject to the applicable provisions of the Riverfront Overlay District as set forth in the new §157.410.

Amendment PARK1 - 157.407(B)

The parking requirements for the DC and the DE districts were unclear; updated language to clarify that DC and DE districts shall have no minimum off-street parking requirements, and added language to establish maximum surface parking limits and how to measure the maximum.

Amendment PARK2 - 157.407(C)(2)(d)

The updated Downtown Design Manual includes revisions to the standards for off-street parking; updated and align parking setbacks with existing off-street parking setbacks.

Amendment PARK3 - 157.407(D)(1)(d)

Parking structures were not exempt from minimum off-street parking requirements; added parking structures to the list of uses exempt from minimum off-street parking requirements.

Amendment PARK4 - 157.407(D)(2)

The current DC and DE language allows for parking credits; DC and DE districts do not have a minimum parking requirement; deleted standards allowing for parking space credits in the DC and DE districts.

Amendment LS1 - 157.408(B)

There is confusion regarding how to apply certain landscape standards to the DC, DE, and UC districts; removed: “, except that only the exterior area landscape standards shall apply in the DC, DE, and UC districts.”

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Amendment LS2 - 157.408(D)(2)(c)

Certain types of landscaping material are not desirable in the downtown DC and DE districts; added: In DC & DE districts, stone, lava rock, & other gravel types shall be prohibited.

Amendment LS3 - 157.408(D)(2)(g) and (q)

Parking structures can impact the pedestrian-oriented environment downtown; added a new landscape code for Parking Structures, applicable to the DC and DE districts only, to incorporate design standards.

Amendment ROD - NEW SECTION 157.410 RIVERFRONT OVERLAY DISTRICT

- To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created; created a new Riverfront Overlay (RO) District with specific use, design, and development standards.
- Created a Riverfront Overlay Map that establishes Primary, Secondary, and Riverfront Frontages. Each frontage type includes a specific use table and varying design standards.
- Encourage new development to “face” the river. Established the Riverfront Frontage and Riverfront Façade; required 25% transparency of upper floors along a Riverfront Frontage.
- The updated Downtown Design Manual includes recommendations for adding uses that create a lively pedestrian environment and a destination for the community. Added the following:
  - Ground Floor Permitted Uses: Permit limited office, commercial, retail or restaurant uses on the ground floor in the Primary Frontage. Permit additional active uses on the ground floor in the Secondary Frontage, including some limited residential uses.
  - Artisan Spaces: Allow, and define, Artisan Spaces throughout the Riverfront Overlay District along Primary, Secondary and Riverfront Frontages.
  - Prohibited Uses: Prohibit drive-through facilities in the Riverfront Overlay District.
  - Building or Business Service Areas: Prohibit building service areas to be visible from Primary, Secondary, or Riverfront Frontages.
- The updated Downtown Design Manual includes recommendations for protecting views to and from the river; established lower height limits (minimum 20 feet and two occupiable stories, maximum 80 feet), and required a 10-foot setback for Riverfront Facades.
- The updated Downtown Design Manual includes recommendations for accommodating more active, outdoor uses near the river; allowed increased setbacks for buildings in the Riverfront Overlay District if plazas and open spaces containing active uses are located in the setback.

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Amendment DEF1 - 157.506

Definition of Artisan Space: Artisan Space was created as a new permitted use for the Riverfront Overlay District; a definition for Artisan Space has been added to the definitions.

Amendment DEF2 - 157.506

Definition of Corner Visibility Area: DE district buildings are not included in the list of exceptions for corner visibility standards; added "and DE" to the definition of Corner Visibility Area to clarify that the restriction shall not apply to buildings in that district. The updated setback standards will allow for buildings in the DE district to be located at up to a 0' foot setback.

Amendment DEF3 - 157.506

Definition of Downtown Design Manual: The definition of Downtown Design Manual does not include the Riverfront Overlay District; added Riverfront Overlay to the definition of Downtown Design Manual to clarify that the Riverfront Overlay District is a part of the Design Manual.


Amendment DEF4 - §157.506

Definition of Local Historic District: The existing definition refers to "local historic district", but is named "historic district"; added the word "Local" to clarify the definition. Replace "common Council" with "Historic Preservation Commission to clarify current practice.


Amendment DEF5 - §157.506

Definition of Lumen: The definition of Lumens was not aligned with the Design Manual; updated definition of lumens to align with proposed Design Manual – to clarify how lumens is measured: One foot-candle is one lumen per square foot.

SECTION 2. That this Ordinance, after its passage and approval by the Mayor, shall be in full force and effect starting on January 1, 2024.

  
\_\_\_\_\_  
Council Member

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Malak Heiny, City Attorney

City of Fort Wayne Common Council  
**DIGEST SHEET**

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**Department of Planning Services**

Title of Ordinance: Zoning Ordinance Amendment  
Case Number(s): ZORD-2023-0003  
Bill Number: G-23-08-03  
Council District: all

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Introduction Date: August 8, 2023

Plan Commission  
Public Hearing Date: August 14, 2023 (not heard by Council)

Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

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Synopsis of Ordinance: A proposal to amend the Fort Wayne Zoning Ordinance (Chapter 157); The ordinance amendments, including the Riverfront Overlay District, shall apply to certain development proposals in the DC (Downtown Core) and the DE (Downtown Edge) districts.

Location: DC (Downtown Core and DE (Downtown Edge) zoning districts and area within the planning district of the City of Fort Wayne.

Applicant: The Fort Wayne Plan Commission

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Related Petitions: Petitions ZORD-2023-0003, REZ-2023-0038, -39, -40, -41, and -42 are being collectively brought forward by the Fort Wayne Plan Commission for consideration by the Fort Wayne Common Council.

Effect of Passage: The purpose of these amendments is to implement the zoning ordinance related requirements from the updated Downtown Design Manual, which incorporates guidance from the Riverfront Development Implementation Framework. The amendments are intended to ensure that the city continues to achieve high quality development for both privately financed and publicly supported projects, furthering the goals and strategies of adopted Downtown plans.

Effect of Non-Passage: The updated Downtown Design Manual will not be implemented, and the applicable goals and strategies of adopted Downtown plans will not be achieved by Fort Wayne.

# Department of Planning Services Rezoning Petition Application

Applicant

Applicant Fort Wayne Plan Commission  
 Address 200 East Berry Street  
 City Fort Wayne State IN Zip 46802  
 Telephone (260) 449-7607 E-mail \_\_\_\_\_

Property Ownership

Property Owner N/A - City of Fort Wayne Riverfront Overlay District Amendment Application  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

Contact Person

Contact Person Sarah Jones  
 Address 200 East Berry Street, Suite 150  
 City Fort Wayne State IN Zip 46802  
 Telephone (260) 449-7607 E-mail sarah.jones@co.allen.in.us

*All staff correspondence will be sent only to the designated contact person.*

Request

Allen County Planning Jurisdiction  City of Fort Wayne Planning Jurisdiction  
 Address of the property \_\_\_\_\_ Township and Section \_\_\_\_\_  
 Present Zoning \_\_\_\_\_ Proposed Zoning \_\_\_\_\_ Acreage to be rezoned \_\_\_\_\_  
 Purpose of rezoning (attach additional page if necessary) \_\_\_\_\_  
See Attached - Fort Wayne Riverfront Overlay District Amendment - Downtown Design Manual Project  
 \_\_\_\_\_  
 Sewer provider \_\_\_\_\_ Water provider \_\_\_\_\_

Filing Checklist

*Applications will not be accepted unless the following filing requirements are submitted with this application.*

- Filing fee \$1000.00
- Surveys showing area to be rezoned
- Legal Description of parcel to be rezoned
- Rezoning Criteria (please complete attached document)

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Fort Wayne and Allen County Plan Commissions as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that

\_\_\_\_\_  
 (printed name of applicant) (signature of applicant) (date)

\_\_\_\_\_  
 (printed name of property owner) (signature of property owner) (date)



Received	Receipt No.	Hearing Date	Petition No.
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Department of Planning Services • 200 East Berry Suite 150 • Fort Wayne, Indiana • 46802  
 Phone (260) 449-7607 • Fax (260) 449-7682 • [www.allencounty.us](http://www.allencounty.us) • [www.cityoffortwayne.org](http://www.cityoffortwayne.org)





## DEPARTMENT OF PLANNING SERVICES

Citizens Square  
200 East Berry Street, Suite 150  
Fort Wayne, Indiana 46802

260.449.7607 Office  
260.449.7682 Fax  
[www.allencounty.us/dps](http://www.allencounty.us/dps)



### MEMORANDUM

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To: Fort Wayne Plan Commission  
From: Co-Project Managers – Downtown Design Manual Update Project  
Date: May 10, 2023  
Subject: Downtown Design Manual Project – Update and Initiation of Rezoning to DC/DE

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This letter serves to inform the Fort Wayne Plan Commission of Staff's intent to update you regarding the status of the Fort Wayne Updated Downtown Design Manual Project.

Community Development and Department of Planning Services Staff are jointly managing this project.

Staff previously presented an update of the project at the February 20, 2023 Fort Wayne Plan Commission Business Meeting, where staff requested that the Plan Commission Initiate the following items: (1) Adoption of the Updated Downtown Design Manual; (2) Downtown Design Standards Zoning Ordinance Amendment; and (3) Riverfront Overlay Zoning District Amendment.

Staff will present an additional update of the project at the May 15, 2023 Plan Commission Business Meeting.

In addition to the update, staff will request for the Plan Commission to Initiate:

- The Rezoning of certain portions of the projected Riverfront Overlay Zoning District area to DC or DE as applicable.

Submitted by the Downtown Design Manual Project Co-Project Managers:

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**Sarah Jones, AICP**  
Senior Planner | Special Projects  
Department of Planning Services

**Russell Garriott**  
Senior Planner | Planning and Policy  
Fort Wayne Community Development

# Memo

To: All Interested Parties

From: Dave Schaab, Principal Land Use Planner – Special Projects Division

Date: 6/16/2023

Subject: Downtown Design Manual Design Review Process Update

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In 2011 the Downtown Design Manual was created, and the Design Review Committee (DRC) was established through the Plan Commission (PC); no major updates have occurred since. As part of the current Downtown Design Manual update and associated Zoning Ordinance amendment, the DRC Design Review Process was evaluated. After initial stakeholder interviews in August 2022 & through various meetings with a Staff Team and Advisory Committee, the following updates are proposed:

- We have changed the process to include a second DRC meeting earlier in the process to allow committee members the option to review projects before they are completely designed; this will produce a better result for Fort Wayne and save on redesign costs for developers.
- A second earlier DRC meeting gives the applicant a chance to meet all Zoning Ordinance requirements to streamline the development process from beginning to end:
  - o If a project meets all Zoning Ordinance requirements, the project can proceed through the typical development process.
  - o Only if the project does not meet all Zoning Ordinance requirements does the project proceed through a Public Hearing process for a waiver through the PC or an applicable Board of Zoning Appeals (BZA) filing.
- This would involve creating a new Downtown Pre-Review application (DTPR). This is a formalized pre-preview process that would be evaluated by DPS staff and then brought before the DRC at a regular meeting. The DRC would be making recommendations to the developer, not the Plan Commission, on the conceptual components of their project.
  - o Due to the addition of this second earlier DRC meeting to the Design Review Process, an application fee has been added to manage the administrative costs of generating the staff report and organizing the meeting.
- To capture all new development in Downtown Fort Wayne that does not meet Zoning Ordinance requirements, the DRC Design Review Process has been expanded to include applicable BZA filings.
- The original DRC meeting will remain in the Public Hearing process for the PC and the BZA.

## 2023 Downtown Design Standards Zoning Ordinance Amendments Summary

In addition to the new Downtown Design Manual, a series of ordinance amendments is also proposed to coincide with the updated manual and guidance from the Riverfront Development Implementation Framework. The amendments are intended to ensure that the city continues to achieve high quality development for both privately financed and publicly supported projects.

The ordinance amendments described below include elements included in the new Riverfront Overlay District as well as proposed amendments to the existing Downtown Core (DC) and Downtown Edge (DE) districts. These amendments will apply only to the Fort Wayne Zoning Ordinance.

Riverfront Overlay District:

**Objective:** Create a cohesive identity for and draw attention to the riverfront areas in the Downtown Core (DC) and Downtown Edge (DE) districts.

**Proposed Amendments:** Create a new overlay district with specific use and design standards and create a Riverfront Overlay Map that establishes Primary, Secondary, and Riverfront Frontages. Each frontage type includes a specific use table and varying design standards.

Draft Summary of Amendments			
No.	Keyword/Reference	Issue	Proposed Amendments
OD1	§157.113 Overlay Districts Page 6	To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created.	Added the Riverfront Overlay District to the list of overlays included in the Zoning Ordinance.
PUR1	DC and DE Purpose Pages 110 and 119	It may be unclear that properties in the DC and DE districts are also subject to the Riverfront Overlay standards.	Added a reference to clarify that DC and DE zoned properties in the Riverfront Overlay District are subject to additional standards in §157.410.
PU1	DC and DE Permitted Uses Pages 111 and 121	It is not clear where outdoor entertainment facility fits in the DC and DE districts.	Add “(including outdoor)” to the existing Entertainment Facility use in DC and DE.
PU2	DC and DE Permitted Uses Pages 112 and 122	It is not clear where a professional office fits in the DC and DE districts.	Add “Office, professional” as a specific permitted use in DC and DE.
PU3	DC and DE Permitted Uses Pages 112 and 122	The updated Design Manual includes revised standards and uses for drive-through facilities.	Removed “including drive-through” from the restaurant permitted use in DC and DE.
PU4	DC Permitted Uses Page 113	It is not clear if a Townhouse Complex is a permitted use in the DC district.	Added Townhouse Complex as a specific permitted use in the DC district.
SU1	DC and DE Special Uses Pages 114 and 123	Allow for additional uses that create a lively pedestrian environment and a destination for the community.	Added a Special Use in the DC and DE districts for RO District properties: Artisan space (available in the Riverfront Overlay District only, to allow for an artisan space use not otherwise listed).

<b>Draft Summary of Amendments</b>			
<b>No.</b>	<b>Keyword/Reference</b>	<b>Issue</b>	<b>Proposed Amendments</b>
SU2	DC, DE, and UC Special Uses Pages 114, 126, 133	Parking structures can impact the pedestrian-oriented environment downtown and in urban corridors.	Modified the existing Special Use language in DC, DE, and UC to reference the updated standards to clarify that the Board shall evaluate requests based on the standards and guidelines in §157.404(X)(n)(iv). Standards in §157.404(X)(n)(iv) have been updated.
SU3	DC and DE Special Uses Pages 115 and 126	The updated Design Manual includes revised standards and uses for drive-through facilities.	Added a Special Use in the DC and DE districts for a: restaurant with drive-through facility (shall only be permitted to be considered as a special use on lots which adjoin an arterial roadway).
DS1	DC and DE Development Standards Tables Pages 117 and 128	The height and setback development standards in the DC and DE districts are not aligned.	The DC and DE development standards tables have been aligned, including the applicable notes; the tables have been replaced.
PS1	DC and DE Projection Standards Table Pages 118 and 129	The updated Design Manual includes revisions to the standards for fences and walls.	The DC and DE Additional Yard Location and Yard Projection Standards tables have been updated; the tables have been replaced.
DP1	§157.301 Development Plans Page 174	The Design Review Process has been revised.	Added: “including the Riverfront Overlay District” to the purpose in this section. Deleted: “projects requiring Design Review in DC and DE districts” from the Development Plan When Required table.
SP1	§157.302 Design Review Committee Page 183	“Downtown Design Manual” is a defined term, but the term is not always used this way in the Ordinance.	Added the word “Downtown” - Updated the reference to Downtown Design Manual by adding “Downtown” throughout to align with the defined term.
ACC1	§157.402(B)(3)(e)(ii)[B] Accessory Structures and Uses – exceptions to fence and wall standards Page 204	The updated Design Manual includes revisions to the standards for fences and walls.	Added item (e)(ii)[B] to the exceptions to fence and wall standards: [B] In the DC and DE districts, an ornamental fence, as defined herein, not exceeding four (4) feet in height may be located in the required front yard with no minimum setback, subject to the corner visibility provisions in this ordinance.
DDS1	§157.404(B) Development Design Standard Applicability Page 209	It needs to be clear when the Riverfront Overlay District standards will apply to development proposals.	Added “Riverfront Overlay District (DC and DE)” to the table, reference §157.404(Y) and added checkmarks to make it clear that these standards are applicable to Development Plans and Site Plans.

<b>Draft Summary of Amendments</b>			
<b>No.</b>	<b>Keyword/Reference</b>	<b>Issue</b>	<b>Proposed Amendments</b>
DDS2	§157.404(R)(2) Lighting Standards Page 215	It was unclear when uplighting could be permitted within the DC and DE zoning districts.	Added a standard to clarify when uplighting can be permitted (applicable to all districts): “(b) Uplighting shall be permitted provided the light fixture is directed and shielded so that no light is emitted beyond the building façade.”
DDS3	§157.404(W)(7) Zoning District Standards - Zoning Overlay Districts Page 218	To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created as a part of this amendment.	Added “§157.410 (Riverfront Overlay District Standards),” to the existing language to make it clear that the applicable provisions apply.
DDS4	§157.404(X) Page 219	As a part of the new Downtown Design Manual, a series of ordinance amendments is also proposed to the DC and DE districts.	Modified the existing language to clarify that “downtown” is DC and DE.
DDS5	§157.404(X)(1)(a) Purpose Page 219	There is a new Fort Wayne Comprehensive Plan (the All In Allen Plan was effective as of March 13, 2023).	Updated language to reflect the new All In Allen Comprehensive Plan and the following amendments to the All In Allen Plan: Fort Wayne Action Plan: Blueprint for the Future and the Riverfront Development Implementation Framework.
DDS6	§157.404(X)(2) Applicability and General Requirements Pages 219-220	An updated Design Review Process has been created as a part of this project.	Text has been updated to reflect the addition of the Riverfront Overlay District applicability and Board of Zoning Appeals applicability to the Design Review Process. The Design Review Process table has replaced.
DDS7	§157.404(X)(4)(b) Balconies Page 222	The updated Downtown Design Manual includes revisions to the standards for balconies.	Increased the minimum height for balconies from 8 feet to 15 feet.
DDS8	§157.404(X)(4)(c) Building Additions Page 222	The updated Downtown Design Manual includes revisions to the standards for building additions.	Updated language to clarify that all additions to existing buildings and new connected parking structures shall be compatible with that building, in terms of material, type, color, pattern, and durability.
DDS9	§157.404(X)(4)(e) Building Materials Page 222	The updated Downtown Design Manual includes revisions to the standards for building materials.	Deleted: “In the DC district, a” to make this standard apply to both DC and DE Updated language throughout §157.404(X) to clarify applicability for new construction.
DDS10	§157.404(X)(4)(f) Cornice/Roof Layer Screening Page 222	The updated Downtown Design Manual includes revisions to the standards for cornices.	Added: (i) A flush or projecting horizontal band of a different material, color, or pattern shall be provided at the top of buildings to provide a visual termination and provide visual definition to the top of the building.

<b>Draft Summary of Amendments</b>			
<b>No.</b>	<b>Keyword/Reference</b>	<b>Issue</b>	<b>Proposed Amendments</b>
DDS11	§157.404(X)(4)(g) Drive-Through Facilities Page 223	The updated Downtown Design Manual includes revisions to the standards for drive-through facilities.	Required design compatibility with the primary structure. Updated and streamlined language to clarify that locational standards apply to drive-throughs proposed with a new primary structure and additions to existing primary structures.
DDS12	§157.404(X)(4)(h) Entrances Page 226	The updated Downtown Design Manual includes revisions to the standards for entrances.	Updated and aligned entrances language to clarify the design standards for new construction.
DDS13	§157.404(X)(4)(i) through (m) Pages 227-228	There is confusing language regarding applicability of design standards for new construction.	Updated and aligned language to clarify the design standards applicability for new construction by removing: “for new residential and mixed-use buildings” and “for new residential buildings”.
DDS14	§157.404(X)(4)(n) Parking Structures Page 229	Parking structures can impact the pedestrian-oriented environment downtown.	Created and revised design standards for parking garages including screening requirements (with architectural features or compatibility to the main or adjacent structure).
DDS15	§157.404(X)(4)(o) Site Lighting Page 230	Site lighting standards within the Downtown Design Manual and 157.404(X)(5)(o) were repetitious compared to the existing Development Design Standards for Site Lighting (157.404(R)).	Streamlined and removed repetitious standards from 157.404(X)(5)(o).
DDS16	New §157.404(Y) Riverfront Overlay District Page 230	To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created.	Added §157.404(Y) Riverfront Overlay District to make it clear that: All development proposals shall also be subject to the applicable provisions of the Riverfront Overlay District as set forth in the new §157.410.
PARK1	§157.407(B) Applicability Page 235	The parking requirements for the DC and the DE districts were unclear.	Updated language to clarify that DC and DE districts shall have no minimum off-street parking requirements, and added language to establish maximum surface parking limits and how to measure the maximum.
PARK2	§157.407(C)(2)(d) off-street parking standards Page 236	The updated Downtown Design Manual includes revisions to the standards for off-street parking.	Update and align parking setbacks with existing off-street parking setbacks.
PARK3	§157.407(D)(1)(d) Page 237	Parking structures were not exempt from minimum off-street parking requirements.	Added parking structures to the list of uses exempt from minimum off-street parking requirements.

Draft Summary of Amendments			
No.	Keyword/Reference	Issue	Proposed Amendments
PARK4	§157.407(D)(2) Parking Credits Page 239	The current DC and DE language allows for parking credits; DC and DE districts do not have a minimum parking requirement.	Deleted standards allowing for parking space credits in the DC and DE districts.
LS1	§157.408(B) Applicability Page 242	There is confusion regarding how to apply certain landscape standards to the DC, DE, and UC districts.	Removed: “, except that only the exterior area landscape standards shall apply in the DC, DE, and UC districts.”
LS2	§157.408(D)(2)(c) Specific Standards and Requirements Page 245	Certain types of landscaping material are not desirable in the downtown DC and DE districts.	Added: In DC & DE districts, stone, lava rock, & other gravel types shall be prohibited.
LS3	Page 246 and 255	Parking structures can impact the pedestrian-oriented environment downtown.	Added a new landscape code for Parking Structures, applicable to the DC and DE districts only, to incorporate design standards.
<b>Riverfront Overlay District – New §157.410</b>			
ROD	New §157.410, Riverfront Overlay District Page 278-285	To create a cohesive identity for and draw attention to the riverfront, a new Riverfront Overlay District has been created.	Created a new Riverfront Overlay (RO) District with specific use, design, and development standards. Created a RO Map that establishes Primary, Secondary, and Riverfront Frontages. Each frontage type includes a specific use table and varying design standards.
ROD	New §157.410, Riverfront Overlay District Page 278-285	Encourage new development to “face” the river.	Established the Riverfront Frontage and Riverfront Façade. Required 25% transparency of upper floors along a Riverfront Frontage.
ROD	New §157.410, Riverfront Overlay District Page 278-285	The updated Downtown Design Manual includes recommendations for adding uses that create a lively pedestrian environment and a destination for the community.	Added the following: <b>Ground Floor Permitted Uses:</b> Permit limited office, commercial, retail or restaurant uses on the ground floor in the Primary Frontage. Permit additional active uses on the ground floor in the Secondary Frontage, including some limited residential uses. <b>Artisan Spaces:</b> Allow, and define, Artisan Spaces throughout the RO District along Primary, Secondary and Riverfront Frontages. <b>Prohibited Uses:</b> Prohibit drive-through facilities in the RO District. <b>Building or Business Service Areas:</b> Prohibit building service areas to be visible from Primary, Secondary, or Riverfront Frontages.

<b>Draft Summary of Amendments</b>			
<b>No.</b>	<b>Keyword/Reference</b>	<b>Issue</b>	<b>Proposed Amendments</b>
ROD	New §157.410, Riverfront Overlay District Page 278-285	The updated Downtown Design Manual includes recommendations for protecting views to and from the river.	Established lower height limits (minimum 20 feet and two occupiable stories, maximum 80 feet). Required a 10-foot setback for Riverfront Facades.
ROD	New §157.410, Riverfront Overlay District Page 278-285	The updated Downtown Design Manual includes recommendations for accommodating more active, outdoor uses near the river.	Allowed increased setbacks for buildings in the RO District if plazas and open spaces containing active uses are located in the setback.
DEF1	Definitions §157.506 Page 390	Artisan Space was created as a new permitted use for the Riverfront Overlay District.	Added a definition for Artisan Space.
DEF2	Definitions §157.506 – Corner Visibility Area Page 402	DE district buildings are not included in the list of exceptions for corner visibility standards.	Added “and DE” to the definition of Corner Visibility Area to clarify that the restriction shall not apply to buildings in that district. The updated setback standards will allow for buildings in the DE district to be located at up to a 0’ foot setback.
DEF3	Definitions §157.506 – Downtown Design Manual Page 405	The definition of Downtown Design Manual does not include the Riverfront Overlay District.	Added Riverfront Overlay to the definition of Downtown Design Manual to clarify that the Riverfront Overlay District is a part of the Design Manual.
DEF4	Definitions §157.506 – Historic District Page 415	The existing definition refers to “local historic district”, but is named “historic district”.	Added the word “Local” to clarify the definition. Replace “common Council” with “Historic Preservation Commission to clarify current practice.
DEF5	Definitions §157.506 – Lumens Page 422	The definition of Lumens was not aligned with the Design Manual.	Updated definition of lumens to align with proposed Design Manual – to clarify how lumens is measured: One foot-candle is one lumen per square foot.

## FACT SHEET

Case #ZORD-2023-0003	Bill # G-23-08-03	Project Start: July 2023
Case #REZ-2023-0038	Bill # Z-23-08-04	Project Start: July 2023
Case #REZ-2023-0039	Bill # Z-23-08-05	Project Start: July 2023
Case #REZ-2023-0040	Bill # Z-23-08-06	Project Start: July 2023
Case #REZ-2023-0041	Bill # Z-23-08-07	Project Start: July 2023
Case #REZ-2023-0042	Bill # Z-23-08-08	Project Start: July 2023

APPLICANT:	Fort Wayne Plan Commission
REQUEST:	Design Standards Ordinance Amendment and Riverfront Overlay Zoning District and Rezoning to DE/DC
REZONING LOCATIONS:	Various; see file
LAND AREA:	Approximately 17.75 acres
PRESENT ZONING:	R2/Two Family Residential, I1/Limited Industrial, I2/General Industrial, and UC/Urban Corridor
PROPOSED ZONING:	DE/Downtown Edge
COUNCIL DISTRICT:	5-Geoff Paddock
SPONSOR:	City of Fort Wayne Plan Commission

### **August 14, 2023 Public Hearing**

- Six individuals spoke at the hearing.
- Karen Richards was absent.

### **August 21, 2023 Business Meeting**

- Tom Freistroffer was absent.

### **ZORD-2023-0003**

#### **Plan Commission Recommendation: DO PASS**

A motion was made by Ryan Neumeister and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

**8-0 MOTION PASSED**

### **REZ-2023-0038**

#### **Plan Commission Recommendation: DO PASS**

A motion was made by Rachel Tobin-Smith and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

**8-0 MOTION PASSED**

**REZ-2023-0039**

**Plan Commission Recommendation: DO PASS**

A motion was made by Ryan Neumeister and seconded by Paul Sauerteig to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

**8-0 MOTION PASSED**

**REZ-2023-0040**

**Plan Commission Recommendation: DO PASS**

A motion was made by Karen Richards and seconded by Ryan Neumeister to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

**8-0 MOTION PASSED**

**REZ-2023-0041**

**Plan Commission Recommendation: DO PASS**

A motion was made by Paul Sauerteig and seconded by Rachel Tobin-Smith to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

**8-0 MOTION PASSED**

**REZ-2023-0042**

**Plan Commission Recommendation: DO PASS**

A motion was made by Ryan Neumeister and seconded by Karen Richards to return the ordinance with a Do Pass recommendation to Common Council for their final decision.

**8-0 MOTION PASSED**

Fact Sheet Prepared by:  
Michelle Wood, Senior Land Use Planner  
September 6, 2023

## PROJECT HISTORY AND DISCUSSION

The purpose of this request is to ask the Commission to recommend approval of the Design Standards Ordinance Amendment and the Riverfront Overlay District (ZORD-2023-0003). This approval recommendation is aligned with the approval of the Downtown Design Manual Update and recommendation of the approval of the proactive rezoning of affected project areas to DE and DC (REZ-2023-0038; REZ-2023-0039; REZ-2023-0040; REZ-2023-0041; REZ-2023-0042).

If approved, these amendments will be to implement the zoning ordinance related requirements from the updated Downtown Design Manual, which incorporates guidance from the Riverfront Development Implementation Framework. The amendments are intended to ensure that the city continues to achieve high quality development for both privately financed and publicly supported projects, furthering the goals and strategies of adopted Downtown plans.

The ordinance amendments are intended to put the requirements set forth in the Design Manual into the City's Zoning Ordinance. As part of the ordinance amendment portion of this project, the following sections of the current Zoning Ordinance (Chapter 157) are proposed to be amended:

§157.113 Overlay Districts	§157.404 Development Design Standards
§157.218 DC Downtown Core	§157.407 Parking
§157.219 DE Downtown Edge	§157.408 Landscape Standards
§157.301 Development Plans	§157.410 Riverfront Overlay District ( <b>new section</b> )
§157.302 Site Plan Review	§157.506 Definitions
§157.402 Accessory Structures and Uses	

### Key Updates in the Design Manual and Zoning Ordinance Amendment – Applies to Applicable Development Proposals in the DC or DE districts

- New Guidance for Building Design section including height, setbacks, and façade design; required elements were incorporated into the zoning ordinance amendment.
- New Guidance for Site Elements section including accessory -structures, setbacks for active uses, lighting, and parking structures; required elements were incorporated into the zoning ordinance amendment.
- Updated and aligned drive-through facilities design standards to ensure that pedestrians are not compromised by wide or multiple lane traffic crossing the sidewalk; required elements were incorporated into the zoning ordinance amendment.
- A Restaurant with Drive-Through use is no longer permitted in the DC and DE districts, but is available as a Special Use option along arterial roadways.
- An updated Design Review Process has been created to include a formalized pre-preview process; required elements were incorporated into the zoning ordinance amendment.
- The Public Streetscape section includes an updated Streetscape Template Map.
- New guidance for Urban Design section including sustainability, green infrastructure, and other site guidelines.
- Incorporated a new Riverfront Overlay District; required elements were incorporated into the zoning ordinance amendment as a new Section 157.410, specifically:

- **Purpose**

To create an area of high-quality design within a river-focused context, following the guidance of the Riverfront Development Implementation Framework Plan. The overlay provides standards that preserve important viewsheds and public access to and from the river as new development and redevelopment occurs. The Riverfront Overlay and its regulating plan foster a diversity of activities in the public realm and on private property that creates a varied riverfront pedestrian experience.

- **Required Key Features**

- Frontages: Primary, Secondary, and Riverfront
- Prohibited Use: Drive-through facilities
- New Use: Artisan Space
- Height: Minimum 2 occupiable stories and 20 feet, maximum 80 feet
- Stepbacks: On Riverfront facades, buildings taller than 4 stories shall setback additional stories at least 10 feet from property line (if less than 80 feet from edge of riverbank, as measured by property boundary).
- Transparency: Minimum of 50% of ground-floor facades must be transparent, upper stories along Riverfront frontage needs to be at least 25%.
- Entrances: Publicly-accessible entrance for business or commercial uses on a Riverfront frontage.
- Open Space and Plazas: Allowing buildings along designated frontages to setback further with enhanced activation.

In terms of public input and outreach opportunities for the project, in addition to this Plan Commission public hearing, the following took place:

- *An 11-member Advisory Committee was created, representing the following key stakeholders:*
  - Architects/Designers
  - Business Owners
  - Downtown Improvement District
  - Design Review Committee
  - Developers
  - Fort Wayne Common Council
  - Plan Commission
  - Property Owners
- *A Staff Review Team was established, with the following departments represented:*
  - Planning and Policy-CD
  - Redevelopment-CD
  - Department of Planning Services
  - Parks and Recreation
  - Public Works
  - City Utilities
- *Additional stakeholders were engaged via interviews, focus groups, and other outreach, including:*
  - Developers
  - Architects and Designers
  - Land Use Attorneys
  - Design Review Committee
  - Community/Economic Organizations
  - Community/Neighborhood Organizations
- *An open house was held on the draft Design Manual on June 1<sup>st</sup>, 2023; over 25 people attended*
  - Open house information was e-mailed to a list of Downtown stakeholders
  - Open house information was mailed to every property owner in the proposed affected area within the current or proposed Downtown Core (DC), Downtown Edge (DE), and Riverfront Overlay District boundary
  - Open house information was mailed to every property owner - informing the owner that their property was proposed to be rezoned as a part of the project

This will primarily affect areas within the draft Riverfront Overlay District, along with a small portion of property that is currently zoned I1/I2, but surrounded by DC zoning.

The Zoning Ordinance Amendment ZORD-2023-0003, which includes a new Riverfront Overlay District, will have the proposed effective date of January 1<sup>st</sup>, 2024.

At the August 14<sup>th</sup> Public Hearing the Plan Commission voted to adopt the updated Downtown Design Manual.

## **PUBLIC HEARING SUMMARY:**

Presenter: Beth Elliott of Stantec represented the project team and presented to the PC as outlined above

### Public Comments:

1. Robert Jones: old Fort use and historic preservation, how this might affect character of the area.
2. Celina Crawford: vacant lot near property, what might be built and concern of blocking of views
3. Duane Shepherd: what kinds of development will be built, and what is the time frame for development in the High Street area
4. Erica Hoy: off-street parking, how this proposal would affect availability
5. Anne Clark: wanted to know the petitioner, and what might happen to the Dike in the area
6. Sam Wells: existing homes in the area, and if they were going to be absorbed/taken over

### Closing Comments:

Project team responses to questions:

1. Old Fort and surrounding property are owned by the Fort Wayne Board of Park Commissioners. As a public park, owned by a municipality, the use is considered to be Universally Permitted, and will continue as is. The Rezoning brings the area into alignment with adopted community Plans, including the All In Allen Comprehensive Plan, and the Riverfront Implementation Framework.
2. DE contains many permitted uses, encouraging a mix of uses and emphasizing pedestrian oriented development. There are additional design standards and restrictions for development adjacent to residentially zoned properties; these residential Impact Mitigation Standards restrict buildings over a certain height within a number of feet of a residentially zoned property.
3. There are no specific developments planned or applied for at this time in the High Street area. This rezoning, along with the Riverfront Overlay District and updated standards will set the stage for future development and help to encourage and shape the area as desired by the community and expressed in the adopted plans.
4. Properties DE and DC districts do not have a minimum off street parking requirement for any use. The proposed project clarifies how off-street parking areas and parking structures can be designed and where they can be located within a property.
5. Nothing is going to happen to the Dike as part of this rezoning petition and Overlay District. The Plan Commission is the petitioner. The Dike is located on land owned by the City of Fort Wayne, and must be in compliance with all applicable Federal, State and Local Floodplain standards.
6. Single and Two family uses are not affected by the design standard requirements of the proposed Design Manual or related zoning ordinance amendments. Single and Two family uses are not affected by the Riverfront Overlay District standards. Existing Single and Two family uses are protected through nonconforming standards, and the property can continue to be used and maintained and improved. The rezoning petition and Overlay District does not include any development proposals or involve any aspect of taking of properties.

## FORT WAYNE PLAN COMMISSION • FINDINGS OF FACT

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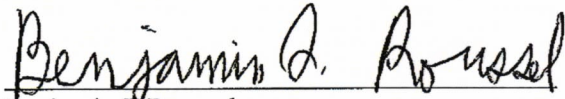
### Zoning Ordinance Amendment ZORD-2023-0003 and Riverfront Overlay District

APPLICANT: Fort Wayne Plan Commission  
REQUEST: To adopt an amendment to the Fort Wayne Zoning Ordinance, which amends or partially repeals the following general portions of Chapter 157 of the City Code: Section 157.113 (Overlay Districts); Section 157.218 (DC Downtown Core); Section 157.219 (DE Downtown Edge); Section 157.301 (Development Plans); Section 157.302 (Site Plan Review); Section 157.402 (Accessory Structures and Uses); Section 157.404 (Development Design Standards); Section 157.407 (Parking); Section 157.408 (Landscape Standards); Section 157.410 (Riverfront Overlay District); Section 157.506 (Definitions).  
LOCATION: The incorporated areas within the municipal boundaries of the City of Fort Wayne, Indiana.

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**Plan Commission recommends that Zoning Ordinance Amendment ZORD-2023-0003, which includes a new Riverfront Overlay District, be returned to the Fort Wayne Common Council with a “Do Pass” recommendation – the proposed effective date is January 1<sup>st</sup>, 2024.**

These findings approved by the Fort Wayne Plan Commission on August 21, 2023.



Benjamin J. Roussel  
Executive Director  
Secretary to the Commission

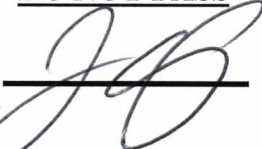

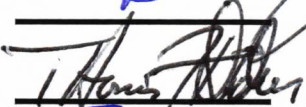




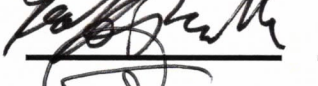

**BILL NO. G-23-08-03**

**REPORT OF COMMITTEE ON REGULATIONS  
September 12, 2023**

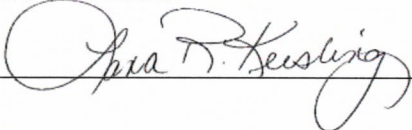
**Sharon Tucker Chair  
Tom Freistroffer Co-Chair  
All Council Members**

An Ordinance amending Chapter 157 of the City of Fort Wayne Municipal Code

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
ARP			
CHAMBERS			
DIDIER			
ENSLEY			
FREISTROFFER			
HINES			
JEHL			
PADDOCK			
TUCKER			

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Tucker.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Tucker, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

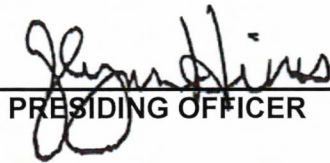
DATED: September 12, 2023

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-23-08-03 on the 12th day of September, 2023

ATTEST:

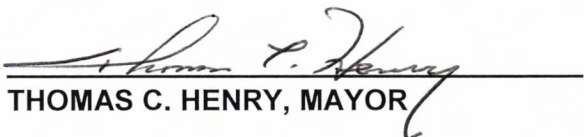
  
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 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th of September 2023, at the hour of 9:50 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15<sup>TH</sup> day of SEPTEMBER 2023, at the hour of 11:00 o'clock AM . E.S.T.

  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR

FORT WAYNE, INDIANA  
**RECEIVED**  
 SEP 15 2023  
 LANA R. KEESLING  
 CITY CLERK