

## ZONING OVERVIEW

A city’s zoning code is a regulatory framework that defines the public realm by guiding urban design and economic development. The zoning dictates what can be constructed in a particular place, how that building can be used, and how it must sit on the site. Historically, zoning has been used to separate uses, reinforce racial divisions, and provide strict requirements that stifle productive growth. Moreover, zoning documents tend to be dense and difficult to understand, so many of these harmful elements have perpetuated for the simple reason that it takes a great effort to diagnose and remedy a zoning code.

Because the regulatory power of a zoning code is so strong, however, careful, phased changes to a city’s zoning can encourage dramatic development, establish productive patterns of growth, enable economic stability, and produce a beautiful and functional public realm. This document proposes changes to the City of Gary’s zoning code in three phases:

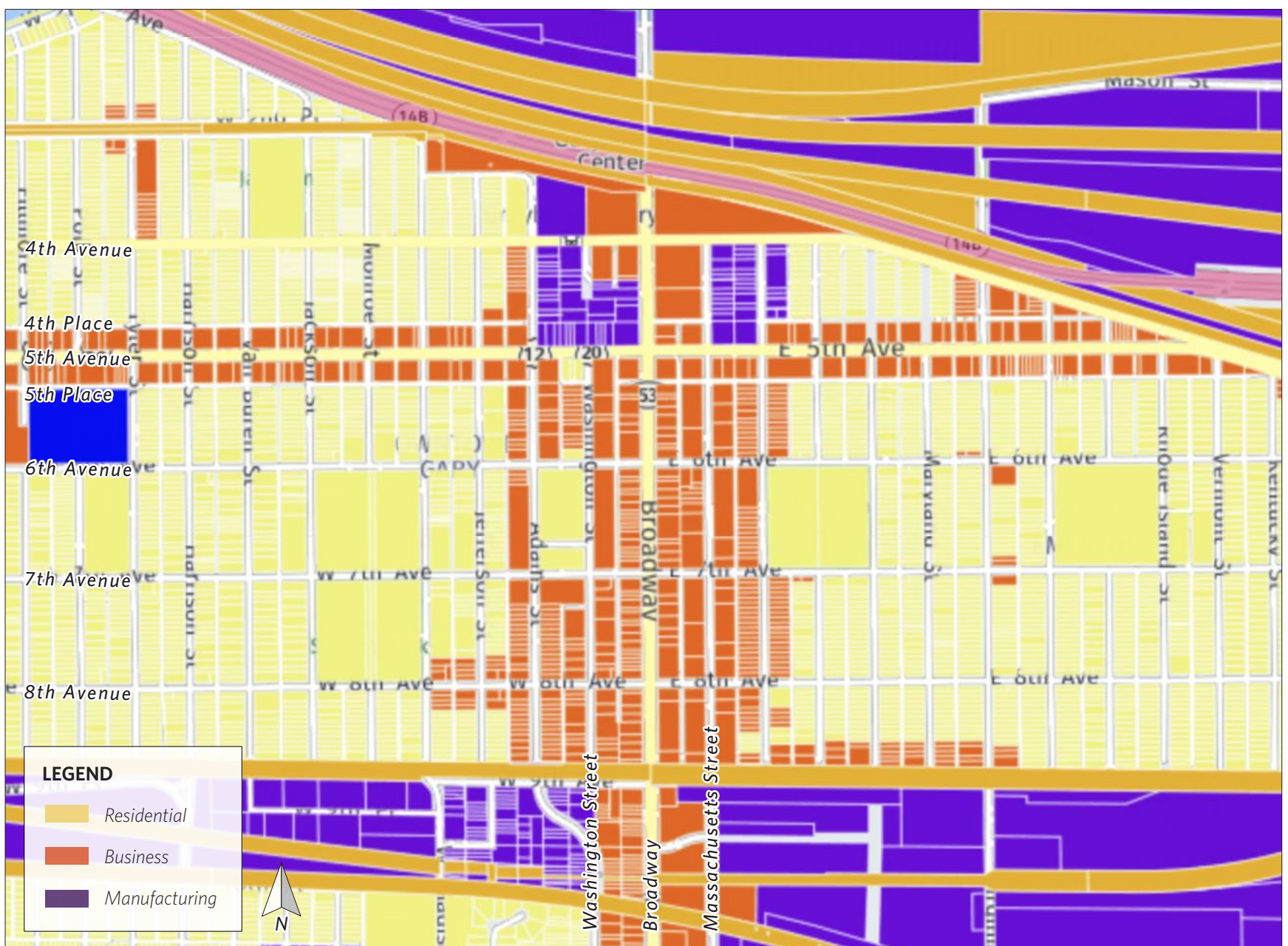
1. **Zoning 911:** This short-term, urgent phase identifies barriers to immediate development that, when removed, will kickstart growth. These quick wins build trust and a culture of successful change.
2. **Comprehensive Zoning Reform:** In the longer term, replace use-based zoning with a form-based code for the city.
3. **Continued Refinements:** The form-based code is an excellent start, but as the city grows and changes, adjustments to the code are necessary to maintain productive growth at the appropriate scale and density.

## KEY FINDINGS

- 1 **Gary’s current use-based zoning code is a barrier to development**  
*Many independent factors, such as minimum lot widths or building sizes, make it very difficult to build new in Gary. These barriers are present within business and residential lots alike.*
- 2 **Changing a zoning code is a complex political process**  
*Zoning codes are complicated, and redoing a code in its entirety can be a challenge, because the public will be concerned that changes will make their lives worse.*

## RECOMMENDATIONS

- 1 **Seek quick wins to build momentum around a culture of change**  
*Though a complete overhaul of the previous zoning code is necessary in the long term, trust and momentum can be built by beginning with the most critical, visible, and easily-understood changes to the code. If these changes clearly kickstart development, the community will be more likely to support the eventual rewriting of the entire code.*
- 2 **When possible, replace the use-based code with a form-based code**  
*Building on a culture of change established with easy wins, conduct comprehensive code reform to streamline the regulating process by replacing the burdensome use-based code with a form-based code.*



**FIGURE 38: Existing Zoning Map of Gary**

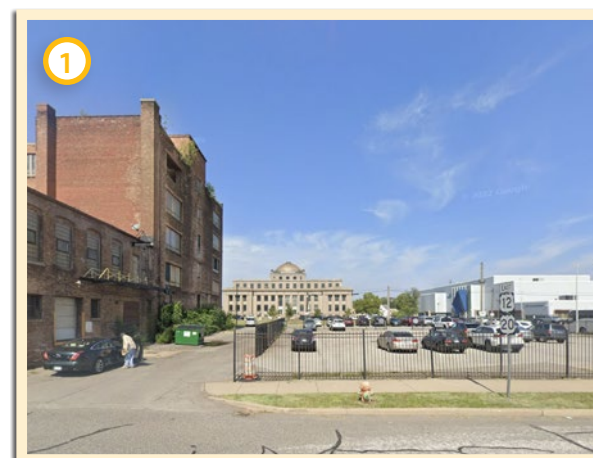
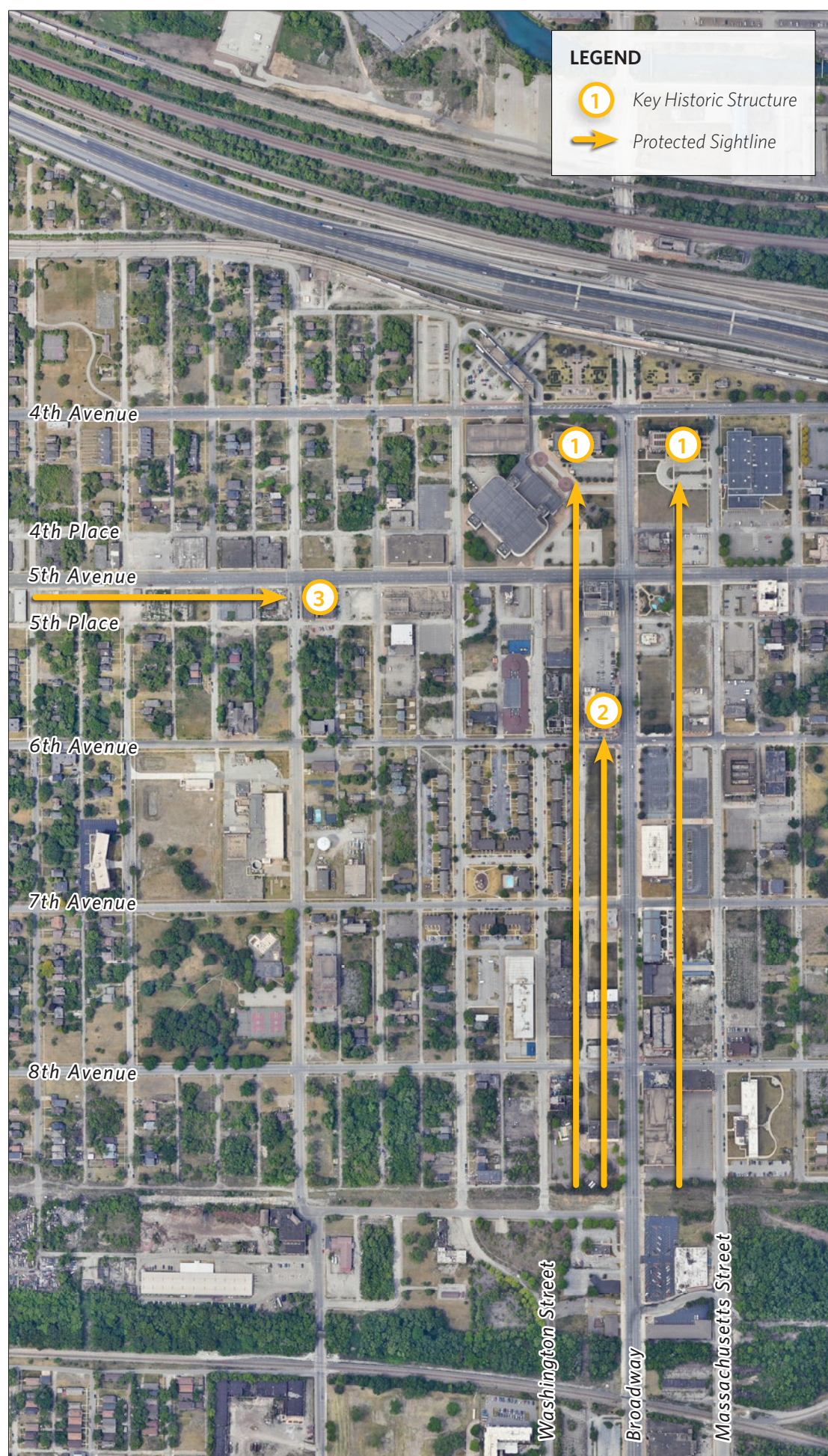
Gary’s residential and business code requirements pose several barriers to development, and the presence of manufacturing lots in the downtown core is not conducive to productive growth.

Source: MsCollins1920 via Carto, City of Gary Zoning Department Website

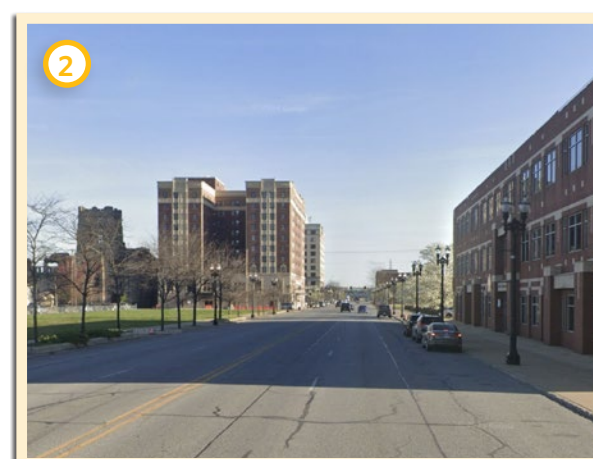
## PRESERVING LINES OF SIGHT

Many of Gary's most beloved historic buildings are currently visible from a distance in many parts of downtown. These buildings cue the experience of entering the core of the city, draw people in, provide compelling vistas, and create pride of place. Protecting lines of sight in the code will preserve the visibility of these structures as new buildings go up. The following codifications are recommended:

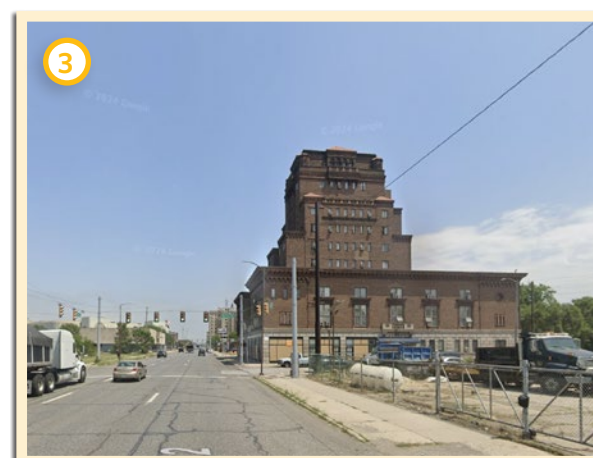
1. *Gary City Hall & County Courthouse Domes*: Line of sight through alleyways
2. *Hotel Gary*: Line of sight along west side of Broadway
3. *Knights of Columbus Building*: Line of sight along south side of West Fifth Avenue



City Hall Dome, visible from an alley parallel to Broadway, looking north



Hotel Gary, visible from Broadway, looking north



Knights of Columbus Building, visible from Fifth Avenue, looking east

**FIGURE 39: Aerial View with Key Sightlines Highlighted**

Each of these historic structures provides a strong pride of place for Gary residents, and must remain visible with new growth.

## PHASE 1: ZONING 911

The first step of the process of zoning reform is to identify and remove barriers to development in the written portion of the zoning code. The following recommendations can be implemented independently from larger comprehensive zoning reform efforts. These modifications will help to facilitate small-scale development in the short-term. No changes are proposed to the zoning map at this stage. These recommendations are designed to work within the zones of the current map.

Gary currently has a use-based code. These codes, also known as exclusionary zoning, were often written to conflict with the realities of the built environments they are intended to regulate, as a way of excluding entire populations of people from participating in homeownership and establishing small businesses. Common examples include mandating:

1. *Minimum building and side setback widths* that exceed existing lot widths to prevent building and re-building in certain neighborhoods
2. *Minimum building size* that exceeds most residents' abilities to afford the building
3. *Prohibition of ADUs and missing middle housing* to reduce affordable housing options
4. *Inability to mix uses* – especially housing and food markets – once prevalent in traditional neighborhood centers
5. *Excessive on-site parking requirements* that increase property infrastructure costs
6. *Excessive review board approvals* that subject residents to delays and the biases of reviewers
7. *Prohibition of uses common in historic Black communities* to eliminate community gathering places and restrict economic freedom

### ZONING 9-1-1 CONTENTS

#### Residential Zones

1. Home-Based Markets & Beauty Shops
2. Residential Lot Dimensions
3. ADUs on Residential Lots
4. Parking at Residential Lots

#### Business Zones

5. Retail Lot Dimensions & Massing
6. Business Zone Specifications

#### Manufacturing Zones

7. M-1 Zone Requirements

## 1 HOME-BASED MARKETS & BEAUTY SHOPS

### CODE EXCERPT: LIST OF PERMITTED RESIDENTIAL USES

Agricultural uses, including nurseries and truck gardens, excluding poultry or livestock, provided no odor or dust is created and there is no sale of products not produced on premises

### FINDING: Home-based markets are prohibited

A use-based provision limits the sale of products based on where they were produced, thus preventing residents and families from operating small home-based markets.

### RECOMMENDATION: Allow products from other vendors to be sold in home-based markets

Gary is in desperate need of small markets to procure fresh food and goods, and home-based markets offer a low barrier for residents to support the health and economy of the community at a grassroots level.

### CODE EXCERPT: LIST OF PERMITTED RESIDENTIAL USES

Beauty shops existing prior to 2010;

### FINDING: New beauty shops are prohibited

A use-based provision specifically prohibits beauty shops in residential areas unless they existed prior to 2010. Beauty shops have historically been a forum for wealth generation and community organizing in Black communities.

### RECOMMENDATION: Allow beauty shops by right in residential zones

This specific prohibition disproportionately impacts Black residents in Gary. Correcting this discriminatory rule is essential for creating an equitable economic environment.

2

RESIDENTIAL LOT DIMENSIONS

MAP SNAPSHOT:  
TYPICAL RESIDENTIAL LOT WIDTHS



FINDING:

Many residential lots are 30' wide

This common lot width was historically paired with narrow homes, which are now illegal to build per the below code excerpt. The snapshot to the left shows an example of narrow residential lots in the city.

RECOMMENDATION:

Allow development of 30' lots by right

Because these lots are so prevalent, and because there is such a need for new housing on residential blocks, adjust the code in the short term to enable new development on 30' lots without a variance.

LEGEND

● 30' Lot

CODE EXCERPT:  
R-2 DIMENSION REQUIREMENTS

R-2 SINGLE-FAMILY RESIDENTIAL

MAXIMUM FAR: 0.5  
MAXIMUM BUILDING COVERAGE: 35% of lot size  
MINIMUM LOT SIZE<sup>†</sup>: 6,000 sq. ft.  
MINIMUM LOT WIDTH<sup>†</sup>: 50 ft. at the building line

SETBACKS		
FRONT YARD	SIDE YARD	REAR YARD
The lesser of 25 ft. or 20% of lot size.*	<p><u>One-story dwelling:</u> yard on each side &gt;5 ft. deep, 12 ft. combined or 20% of lot width, whichever is less</p> <p><u>Two or more-story dwelling:</u> yard on each side &gt;5 ft. deep, 15 ft. combined or 25% of lot width, whichever is less</p> <p><u>Reversed corner lot:</u> side yard adjacent to street &gt; 10 ft.</p> <p><u>All other buildings:</u> each side yard &gt; 1/2 building height, but no less than 15 ft.^</p>	> 2/3 building height, but no less than 30 ft.

<sup>†</sup>Single-family detached dwellings are excluded from this requirement where authorized by the BZA  
\*Minimum depth can be extended to 40 ft. where lots comprising 40% or more of the frontage on the same street within the same block are developed, with building having front yards with a variation of not more than ten ft. in depth. For buildings taller than 25 ft., the minimum setback shall be increased by one foot for every two ft. taller than 25 ft., but in no case shall a front yard of more than 40 ft. be required.  
^does not pertain to permitted uses, listed below

PARKING:

- Must be located on the same lot as the dwelling
- One parking space must be provided for each dwelling unit
- See parking chart for non-residential parking space requirements

Every single-family detached dwelling hereafter erected and every two-family detached dwelling hereafter established as a transitional land use shall be on a zoning lot having a minimum area of 5,000 square feet and a minimum width of 59 feet at the building line. However, a lot of record on the effective date of the ordinance from which this chapter is derived which is less than 5,000 square feet in area or 40 feet in width may be improved with a single-family detached dwelling or a two-family detached dwelling as a transitional land use where authorized by the board of appeals in accordance with the provisions of this chapter.

FINDING:

Minimum lot size and width exceed typical lot widths - building on narrow lots is illegal

The current minimum lot size and building width requirements make building on 30' lots illegal without BZA (Board of Zoning Appeals) approval.

FINDING:

Side yard setbacks restrict building width

On narrow 30' lots, a side setback of 12' combined reduces building width to a structure too narrow to build.

RECOMMENDATION:

Eliminate minimum lot area, reduce minimum lot width and side setbacks

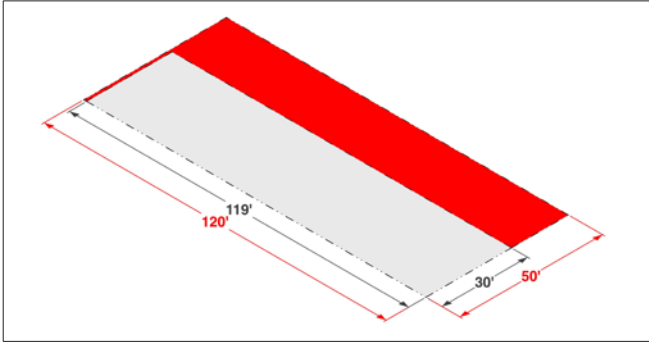
Abolish the minimum lot area requirement, reduce the minimum lot width to 30', and reduce the side setbacks to 10' combined.

2

RESIDENTIAL LOT DIMENSIONS

**ILLUSTRATION:**  
EXISTING VS. PROPOSED LOT DIMENSIONS IN ZONES R2-R6

**EXISTING**

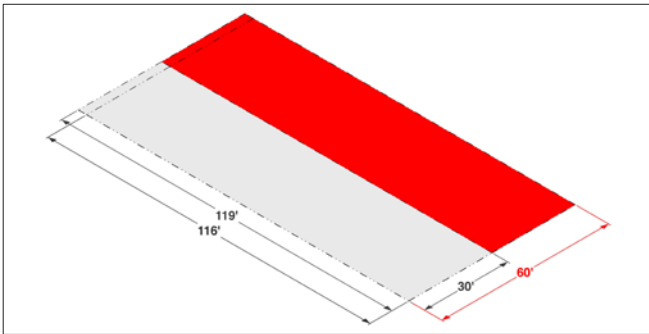


**R2 Lot Dimensions**

Minimum Lot Width	50'
Minimum Lot Depth*	120'
Minimum Lot Area	6,000 SF

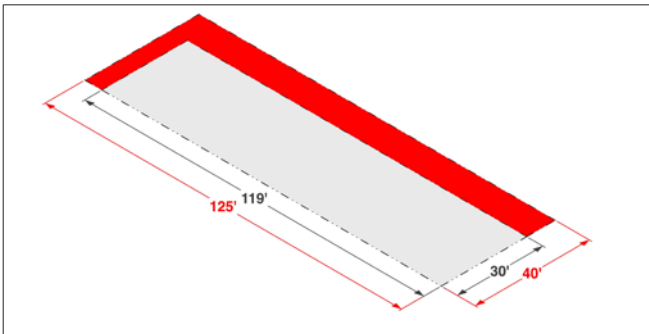
**LEGEND**

- Required Lot
- Narrow Lot



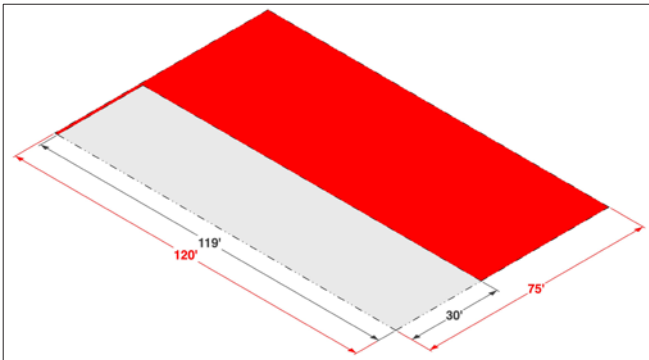
**R3 Lot Dimensions**

Minimum Lot Width	60'
Minimum Lot Depth*	116'
Minimum Lot Area	7,000 SF



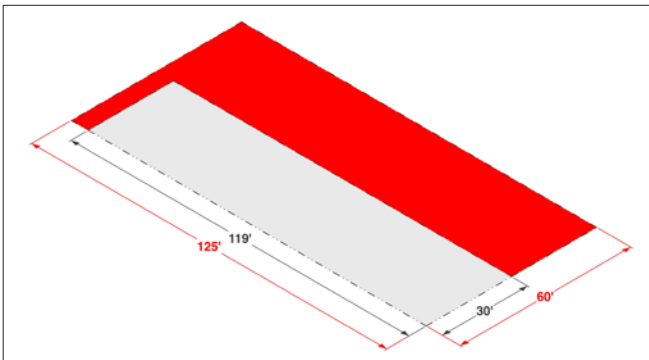
**R4 Lot Dimensions**

Minimum Lot Width	40'
Minimum Lot Depth*	125'
Minimum Lot Area	5,000 SF



**R5 Lot Dimensions**

Minimum Lot Width	75'
Minimum Lot Depth*	120'
Minimum Lot Area	9,000 SF

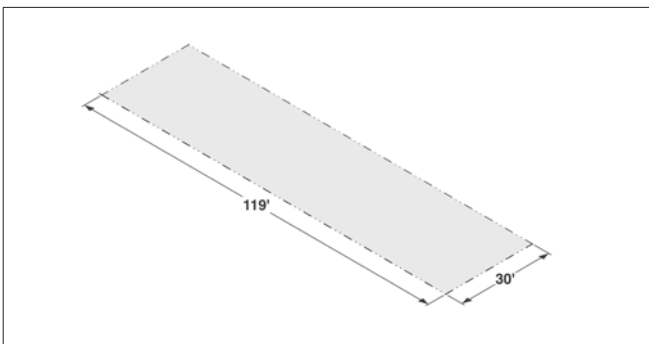


**R6 Lot Dimensions**

Minimum Lot Width	60'
Minimum Lot Depth*	125'
Minimum Lot Area	7,500 SF

\*derived by dividing lot area by lot width

**PROPOSED**

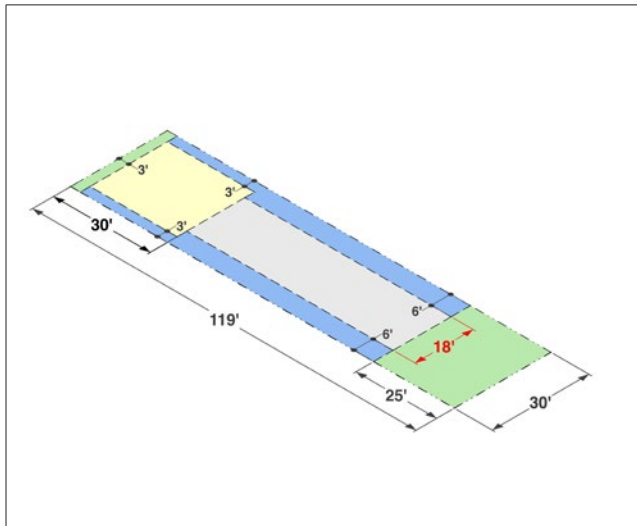


**R2-R6 Lot Dimensions**

Minimum Lot Width	30'
Minimum Lot Depth	119'
Minimum Lot Area	None

**ILLUSTRATION:**  
EXISTING VS. PROPOSED SIDE SETBACKS IN ZONES R2-R6

**EXISTING** \*example conditions chosen to illustrate conflicts; not an exhaustive list

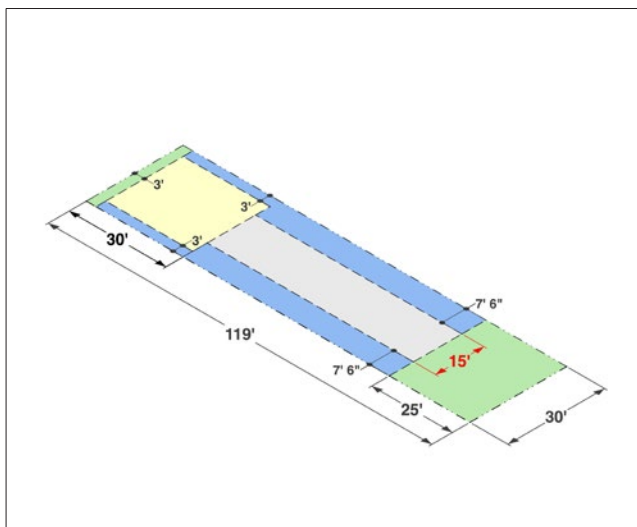


**R2-R4 One-Story Building**

Front Yard Setback	25'
Side Yard Setback	12' combined
Rear Yard Setback	30'

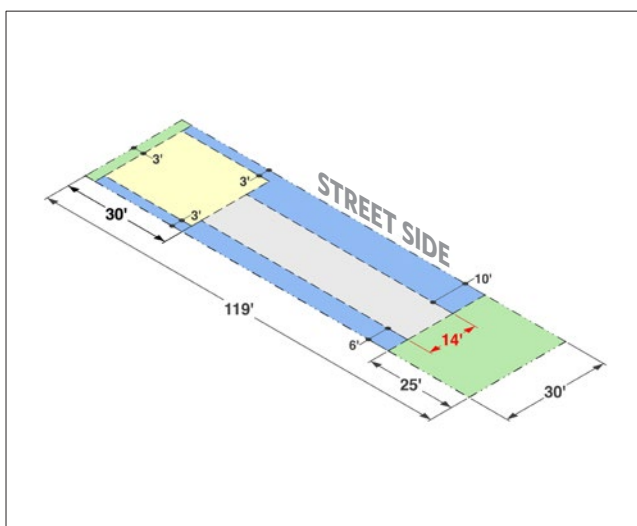
**LEGEND**

- Front Yard
- Side Yard
- Rear Yard
- Buildable Area
- Encroaching Porch



**R2-R4 Two-Story Building**

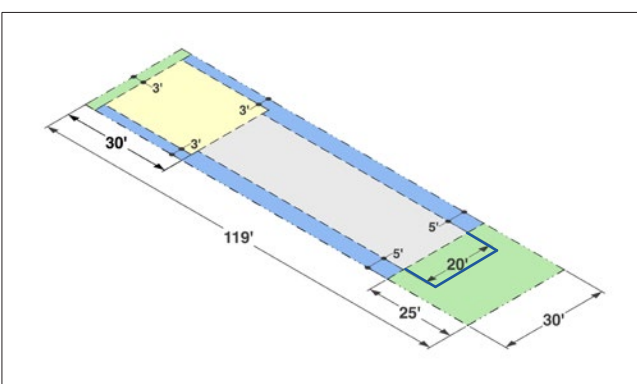
Front Yard Setback	25'
Side Yard Setback	15' combined
Rear Yard Setback	30'



**R2-R4 Corner Lot**

Front Yard Setback	25'
Side Yard Setback	>5' each side; 10' from street
Rear Yard Setback	30'

**PROPOSED**



**R2-R6 Setbacks**

Front Yard Setback	25' **
Side Yard Setback	5' each side
Rear Yard Setback	30'

\*\*with porch encroaching;  
match setback of neighboring houses on the street if different

3

ACCESSORY DWELLING UNITS ON RESIDENTIAL LOTS

**CODE EXCERPT:**  
PRINCIPAL & ACCESSORY BUILDINGS

(j) On every zoning lot, a rear yard shall be provided. The rear yard shall be not less in depth than two-thirds of the building height, as defined in this chapter, but in no case less than 30 feet. Required rear yards shall be unobstructed from ground level to sky, except as otherwise provided in [section 123-333](#).

**Sec. 123-332. - Principal and accessory buildings.**

- (a) Except in the case of planned developments, not more than one principal detached residential building shall be located on a zoning lot, nor shall a principal detached residential building be located on the same zoning lot with any other principal building.
- (b) No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory. No accessory building or buildings shall occupy more than 40 percent of the area of a required rear yard. **No accessory building or portion thereof located in a required rear yard shall exceed 15 feet in height.** On a reversed corner lot in a residence district and within 15 feet of any adjacent property to the rear in a residence district, no accessory building or portion thereof located in a required rear yard shall be closer to the side lot line abutting the street than a distance equal to 60 percent of the least depth which would be required under this chapter for the front yard on the adjacent property to the rear. Further, in the above instance, no accessory building shall be located within five feet of any part of a rear lot line which coincides with a side lot line or portion thereof of property in an R1, R1A, R2, R3, or R4 district.

(Code 1960, §§ 6-505, 6-506; Code 1989, § 163.008; Ord. No. 3376; Ord. No. 8256, § 1(163.008), 2-17-2009)

**FINDING:**

**ADU height is restricted to 15'**

This height restriction means that ADUs cannot be more than one story.

**RECOMMENDATION:**

**Allow ADU height up to two stories**

Allowing up to two-story ADUs offers residents greater flexibility in preserving rear yard building coverage while maximizing habitable space. A two-story configuration allows for the construction of carriage houses and other building types that offer ground floor storage or the option for additional dwelling space within the same footprint.

**CODE ANALYSIS:**  
REAR YARD STATISTICS IN NARROW LOTS

Width	30 ft.
Depth	119 ft.
Area	3,570 sq. ft.
Maximum Building Coverage	1,249 sq. ft.
Maximum Habitable Space	1,785 sq. ft.

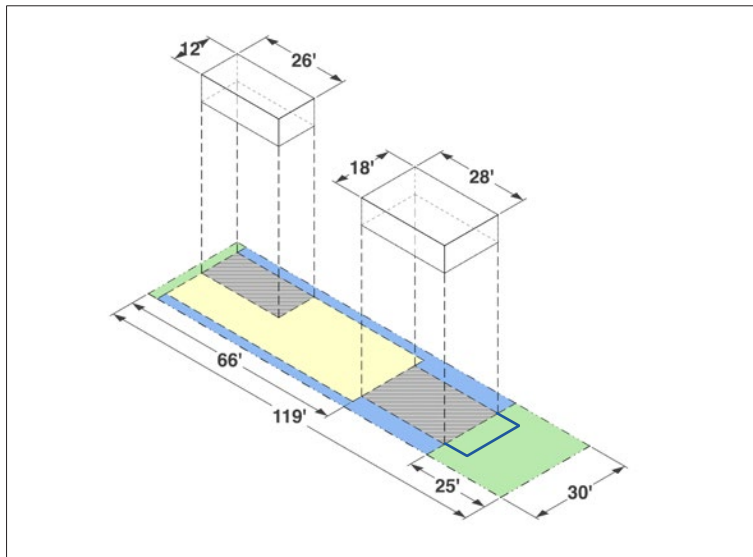
**RECOMMENDATION:**

**Specify 10 feet between principal building and ADU**

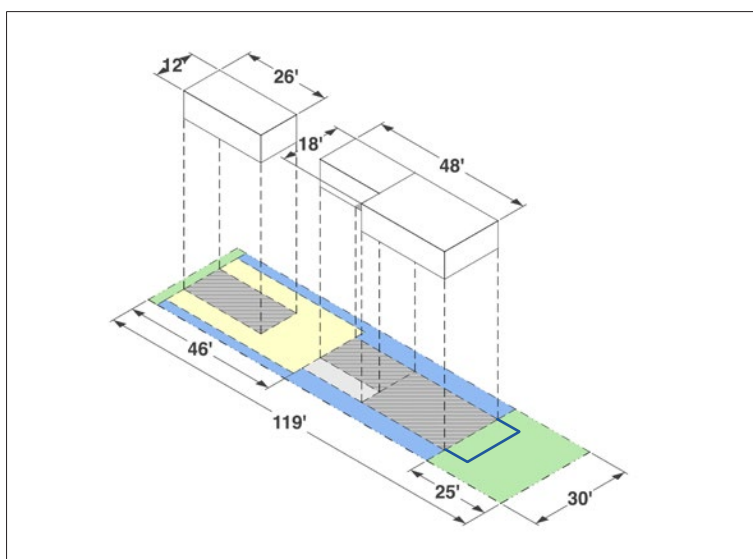
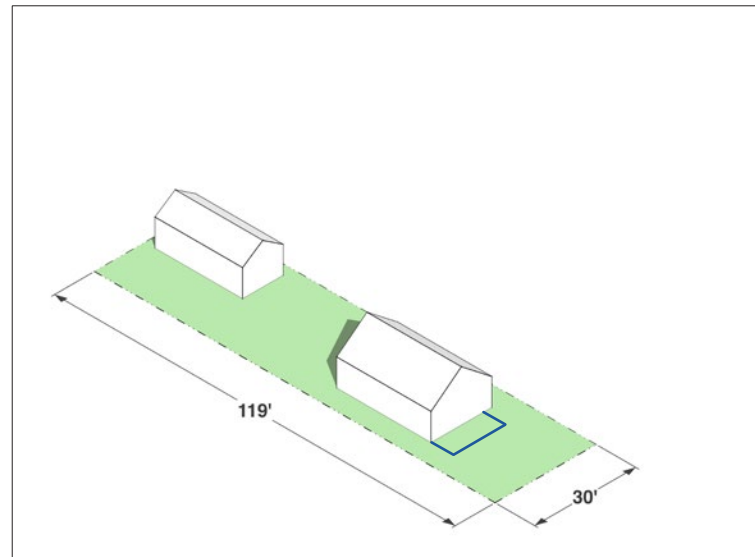
Maintain current lot building coverage, rear yard building coverage, and FAR values. Codify 10' as the minimum distance between the rear line of principal buildings and the frontage line of ADUs to ensure adequate passage and fire safety separation.

**ILLUSTRATION:**  
PROPOSED ADU CONFIGURATIONS WITH AN R2 ONE-STORY STRUCTURE

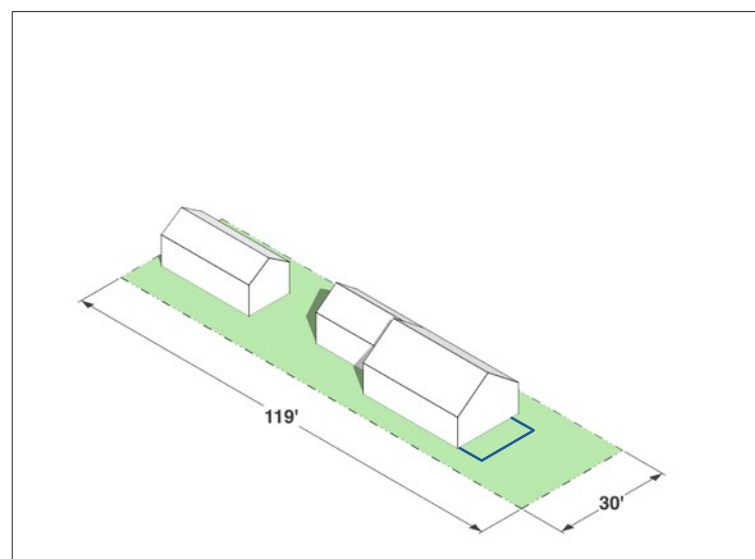
**PROPOSED**



**Configuration A:**  
Small Home with One-Story ADU



**Configuration B:**  
Small Home with Future Addition and ADU



**LEGEND**

- Front Yard
- Side Yard
- Rear Yard
- Buildable Area
- Encroaching Porch

4

PARKING AT RESIDENTIAL LOTS

**CODE EXCERPT:**  
PARKING REQUIREMENTS

RESIDENTIAL USES	
Single-family dwelling	One space per dwelling unit
Two-family dwelling	One space per dwelling unit
Multiple-family dwelling	0.75 spaces per dwelling unit; 0.5 spaces per efficiency unit

**PARKING:**

- Must be located on the same lot as the dwelling
- One parking space must be provided for each dwelling unit

**FINDING:**

**On-site parking requires front yard space and additional paving**

On-site parking on narrow historic lots consumes valuable garden space and requires residents to invest in additional paving to properly store their vehicles outside. Meanwhile, ample roadway pavement just a few feet way could serve as parking space.

**RECOMMENDATION:**

**Allow on-street/off-site parking to contribute to parking requirements**

- Eliminate on-site parking requirements for R-2 through R-4 zones (single-family and two-family dwellings). The pavement areas of Gary's neighborhood streets are generously sized and underutilized.
- Make on-street parking available and allow spaces within 500' of a residential lot to contribute to that lot's parking requirements. This distance allows spaces within a typical Gary block to be considered.
- Allow handicapped residents to request reserved handicapped parking in front of their homes. Residents can still have the option to build on-site parking.

These changes will contribute to a safer and more welcoming neighborhood character as fronts of houses face the street instead of the backs of cars and trucks. On-street parking also reduces the speeds of motorists on the street.

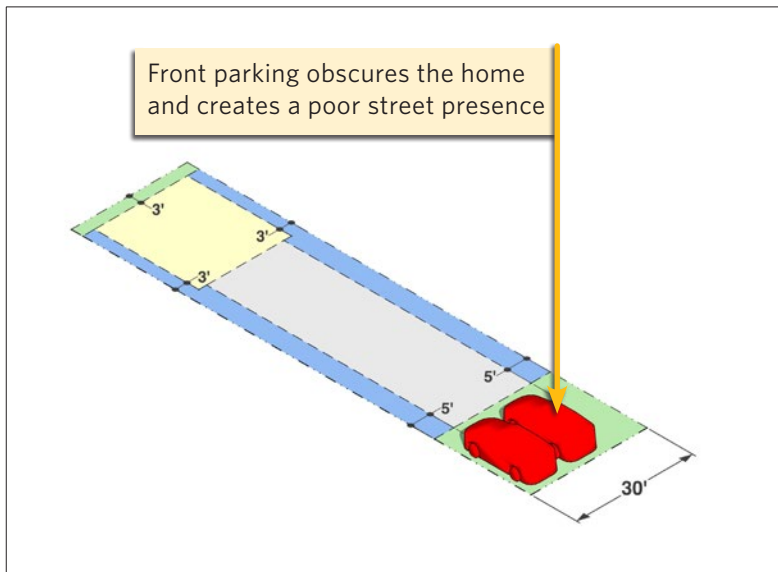
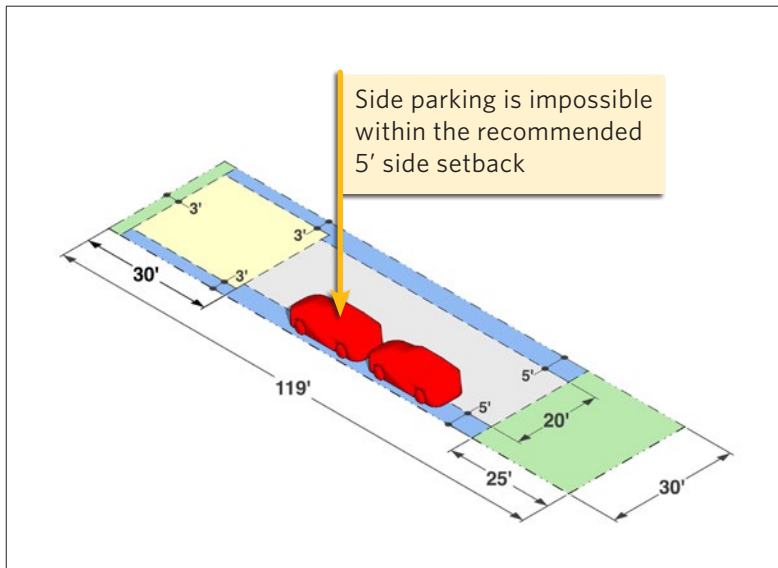
**RECOMMENDATION:**

**Prepare to conduct a parking reduction plan**

Conduct a parking reduction study and include a plan in the new zoning code. This plan will recommend parking requirement reductions as the implementation of the masterplan reaches key milestones of fulfillment. As the city builds according to its new form-based code over the coming decades, walkability will increase and the need to drive and park for short trips will decrease. Note: parking accommodations will still be needed to accommodate residents and visitors with disabilities as well as those making longer commutes. Most cities find that on-site parking needs can be transitioned over to on-street parking and a select number of well-placed parking garages.

**ILLUSTRATION:**  
EXISTING VS. PROPOSED PARKING CONDITIONS

**EXISTING**



**R2-R4 Parking**

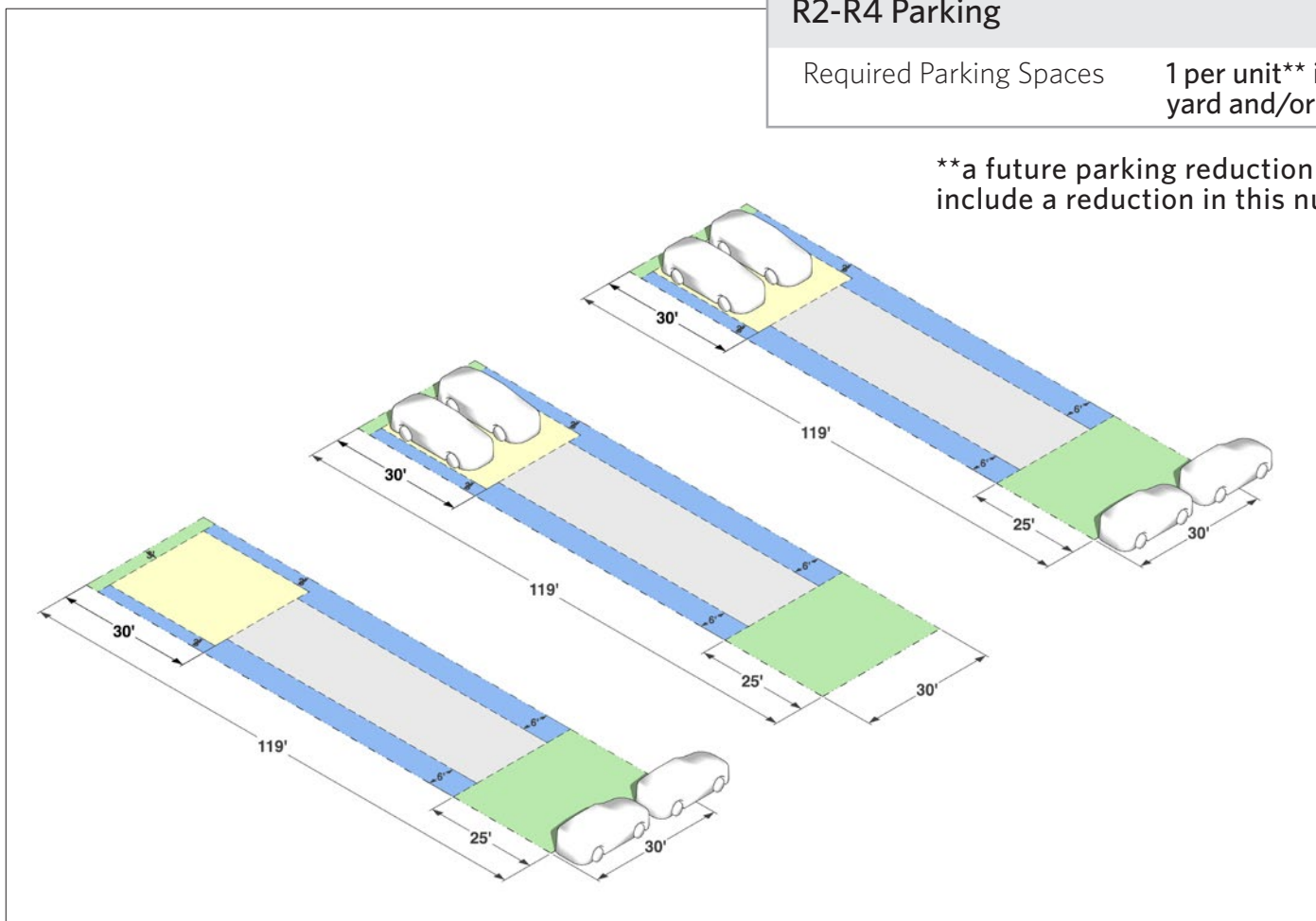
Required Parking Spaces    **1 per unit\* on site**

\*illustrations presume two units, but conflicts hold for any unit number on a narrow lot

**LEGEND**

- Front Yard
- Side Yard
- Rear Yard
- Buildable Area

**PROPOSED**



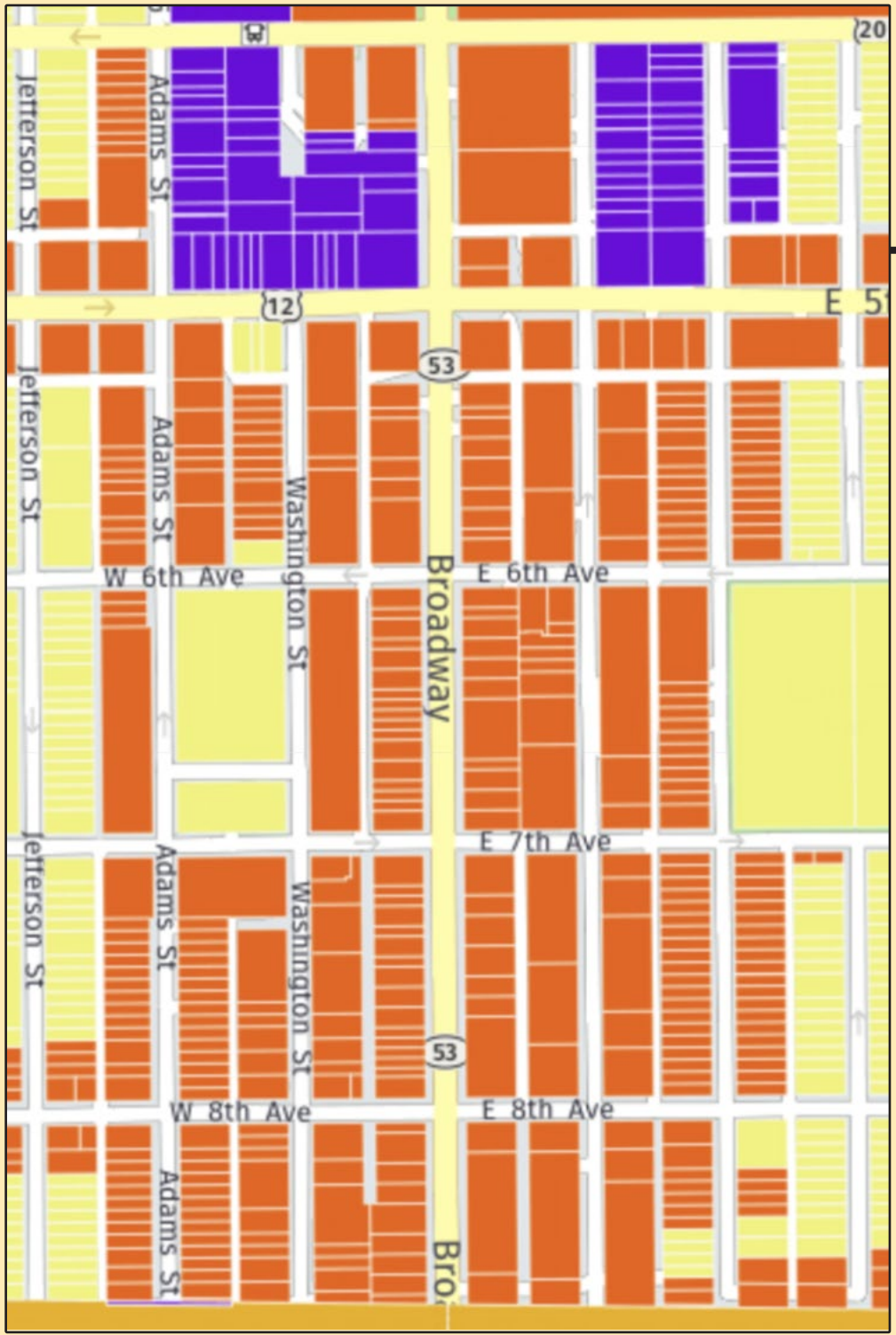
**R2-R4 Parking**

Required Parking Spaces    **1 per unit\*\* in rear yard and/or on street**

\*\*a future parking reduction plan may include a reduction in this number

**5** RETAIL LOT DIMENSIONS & MASSING

**MAP SNAPSHOT:  
NARROW RETAIL LOTS**



**FINDING:**  
**Dominant B zones in the downtown study area include B-2, B-3, and B-5**  
 B-2 lots run along Broadway; B-3 lots run along Fifth Avenue west of Broadway and in the downtown core along I-90; B-5 lots run along Washington and Adams Streets and along Fifth Avenue east of Broadway. B-2 lots currently require a minimum lot width of 60'.

**RECOMMENDATION:**  
**Adapt the code to 25' lot widths**  
 Because these lots are so prevalent, and because there is such a need for new retail on downtown blocks, adjust the code to allow 25' lots, to enable new development.

**LEGEND**

- Residential
- Business
- Manufacturing

**CODE EXCERPT:  
B-2 DIMENSION REQUIREMENTS**

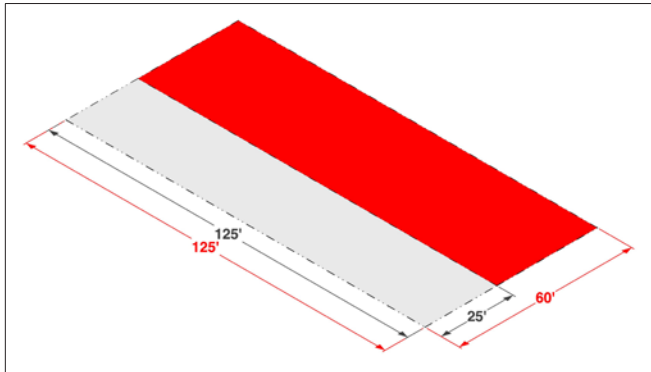
**B-2 GENERALRETAIL**  
 MAXIMUM GROSS FLOOR AREA: 12,500 sq. ft.  
 MAXIMUM FAR: 1.5 (B2-1), 2.5 (B2-2), 3.5 (B2-3)  
FOR RESIDENTIAL USES:  
 MINIMUM LIVING AREA: 1,000 sq. ft. per unit, 800 sq. ft. per efficiency unit  
 MINIMUM LOT SIZE<sup>†</sup>: 7,500 sq. ft.  
 MINIMUM LOT WIDTH: 60 ft.  
<sup>†</sup>A lot which is less than 7,500 sq. ft. or 60 ft. in width may be improved with a building containing no more than two dwelling units. However, when the lot is less than 60 ft. in width and is in the same ownership as an adjoining unimproved lot on the same street, it shall not be improved with a residential use unless both lots are combined as a single zoning lot for this purpose or unless further re-subdivision produces the requisite 60 ft. minimum lot width.

**FINDING:**  
**Minimum lot size and width exceeds existing conditions - building on narrow lots is illegal**  
 The current minimum lot size and building width requirements make building on these lots illegal without BZA (Board of Zoning Appeals) approval.

**RECOMMENDATION:**  
**Abolish the minimum lot area requirement and reduce the minimum lot width to 25'**  
 Changing these dimensional requirements will enable legal construction on narrow lots, as well as a building width and mass typical of historic Gary fabric buildings.

**ILLUSTRATION:**  
EXISTING VS. PROPOSED LOT DIMENSIONS IN ZONE B2-3

**EXISTING**



**B2-3 Lot Dimensions**

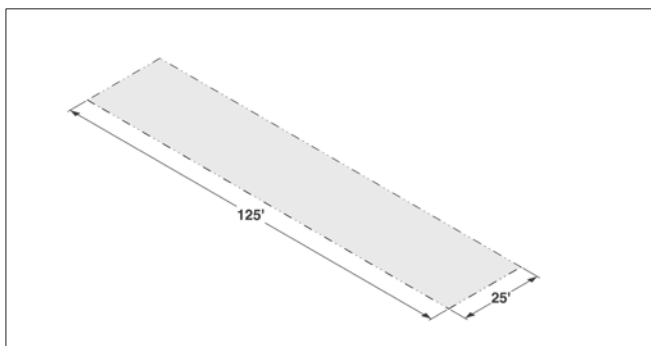
Minimum Lot Width	60'
Minimum Lot Depth*	125'
Minimum Lot Area	7,500 SF

**LEGEND**

- Required Lot
- Narrow Lot

\*derived by dividing lot area by lot width

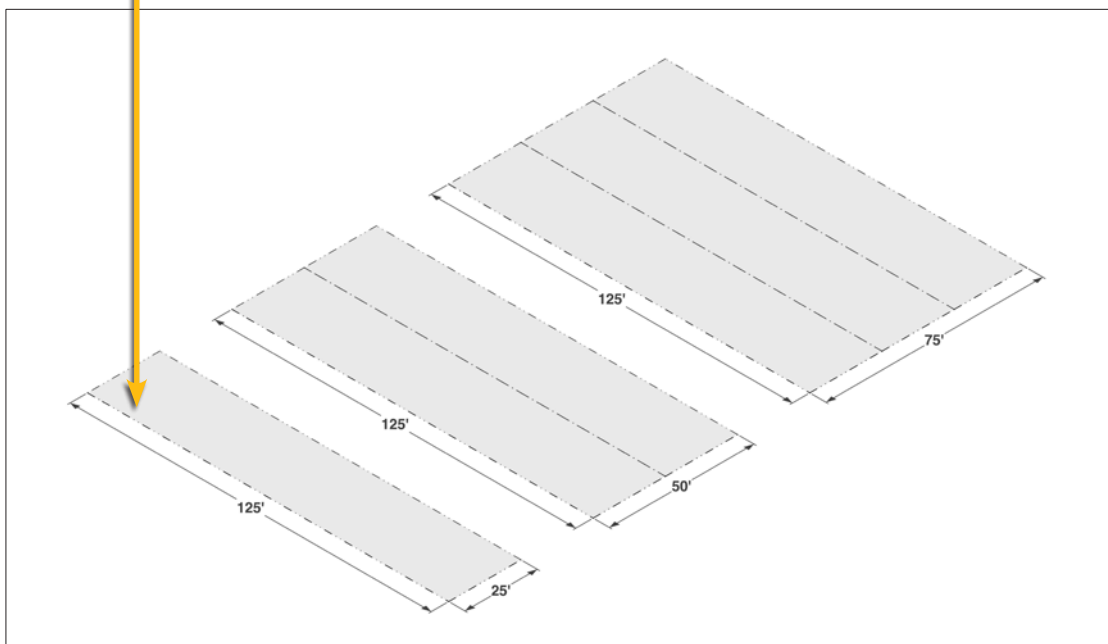
**PROPOSED**



**B2-3 Lot Dimensions**

Minimum Lot Width	25'
Minimum Lot Depth	125'
Minimum Lot Area	None

For larger buildings, narrow lots can easily be combined in increments of 25'



6

BUSINESS ZONE SPECIFICATIONS

**A - BUILDING SETBACKS AS MEASURED FROM PROPERTY LINES**

Buildings shall be located on the site as indicated below. Setbacks shall apply to all floors (for example, if the ground floor is set back five feet from the Primary Property Line, upper floors shall be set back a minimum of five feet from the Primary Property Line).

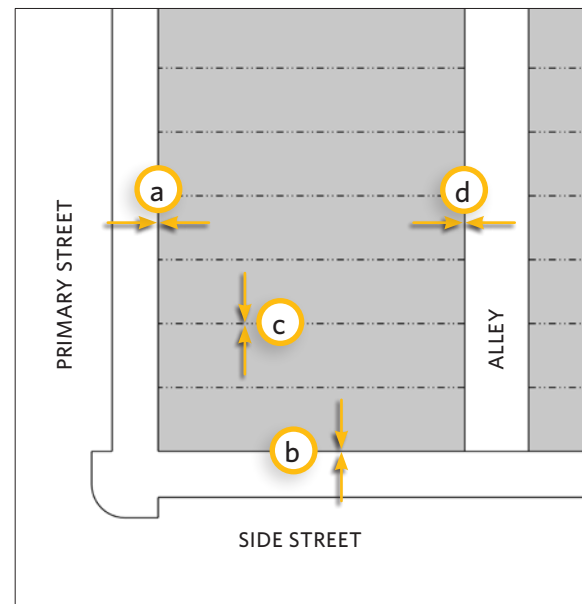
- a Primary Street Setback**

Ground Floor Non-Residential	0'
Ground Floor Residential*	5' min. / 10' max.
- b Side Street Setback**

Ground Floor Non-Residential	0'
Ground Floor Residential*	5' min. / 10' max.
- c Side Yard Setback**

Ground Floor Non-Residential	0' for first 40' of building depth
Ground Floor Residential*	5' min. / 10' max.
- d Rear Setback**

With Alley	5' min.
Without Alley	15' min.



\* Residential uses are prohibited from the ground floor of all frontages facing Broadway between Fourth Avenue and Ninth Avenue.

**B - BUILDING HEIGHT**

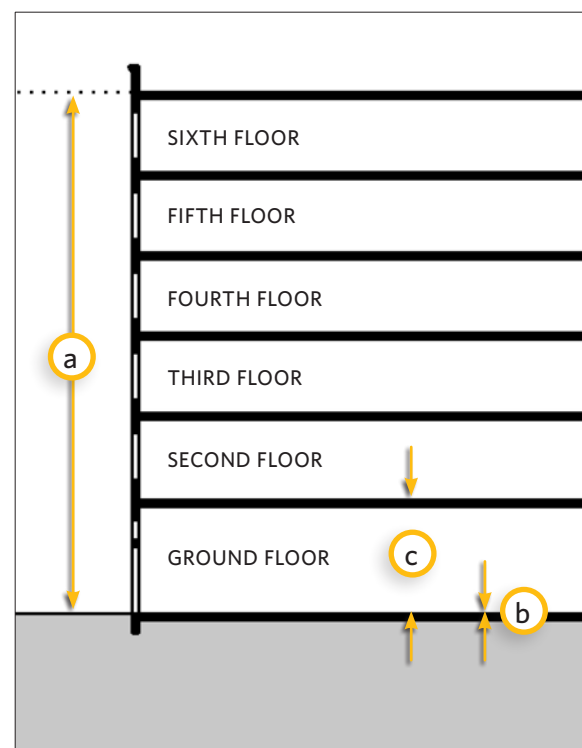
Buildings shall be located on the site as indicated below. Setbacks shall apply to all floors (for example, if the ground floor is set back five feet from the Primary Property Line, upper floors shall be set back a minimum of five feet from the Primary Property Line).

- a Top of plate height above adjacent sidewalk**

Downtown Core	6 stories max.
Downtown General	4 stories max.
- b Ground floor above grade at building setback line**

Non-Residential	0' max.
-----------------	---------
- c Ground story floor-to-floor height**

Non-Residential	16' min.
Residential (Grade to 2nd Floor)	16' min.



**C - PARKING PLACEMENT**

On-site parking shall be located as indicated below.

<b>a Primary Street Setback</b>	
Surface	35' min.
Podium	35' min.

<b>b Side Street Setback</b>	
Surface	20' min.
Podium	35' min.

<b>c Side Yard Setback</b>	
Surface	5' min.
Podium	15' min.

<b>d Rear Setback</b>	
Surface	5' min.
Podium (with alley)	5' min.
Podium (without alley)	15' min.



**LEGEND**

■ Parking Allowed

**D - PARKING RECOMMENDATIONS**

Parking minimums hinder economic development by reducing the buildable footprint of a structure, eliminating open space on a property, or forcing the construction of expensive parking garages. Cities throughout the country, including South Bend, IN, are eliminating parking minimums. Eliminating parking minimums does not mean eliminating parking, it simply means letting the market decide what is needed.

**Recommendation:**  
Eliminate parking requirements in the proposed Downtown Core and Downtown General Zones, see Figure 40.

**Supporting Resources:**  
Strong Towns, a non-profit that studies failed patterns of development and economic models of growth, closely follows cities around the nation who are eliminating minimum parking requirements. Visit <https://www.strongtowns.org/parking>, for resources, data, and case studies outlining the economic benefits of reducing and/or eliminating parking requirements.

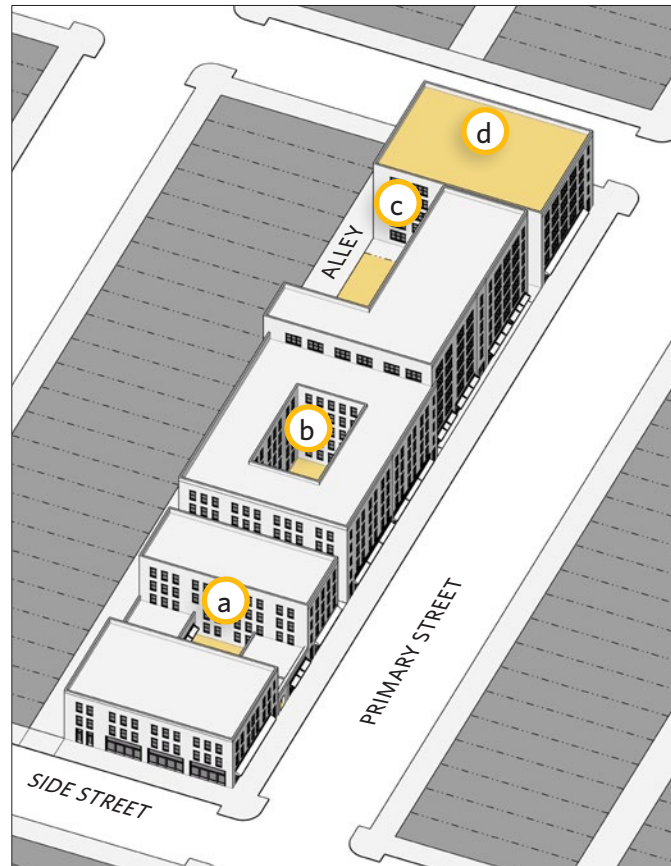
# 6 BUSINESS ZONE SPECIFICATIONS

## E - OPEN SPACE REQUIREMENTS

**Permissible Open Space Options:** One or more of the On-Site Open Space Types listed below shall be provided on each lot. The required On-Site Open Space shall be generally rectangular in form with the below-listed minimum size requirements, and must be accommodated behind the Primary Street setback line.

- a Side Garden**  
Minimum Area: 15% of total lot area  
Minimum Dimensions: 20' x 20'
- b Courtyard**  
Minimum Area: 15% of total lot area  
Minimum Dimensions: 20' x 20'
- c Backyard**  
Minimum Area: 15% of total lot area  
Minimum Dimensions: 20' x 20'
- d Roof Deck**  
Minimum Area: 15% of total lot area  
Minimum Dimensions: 20' x 20'

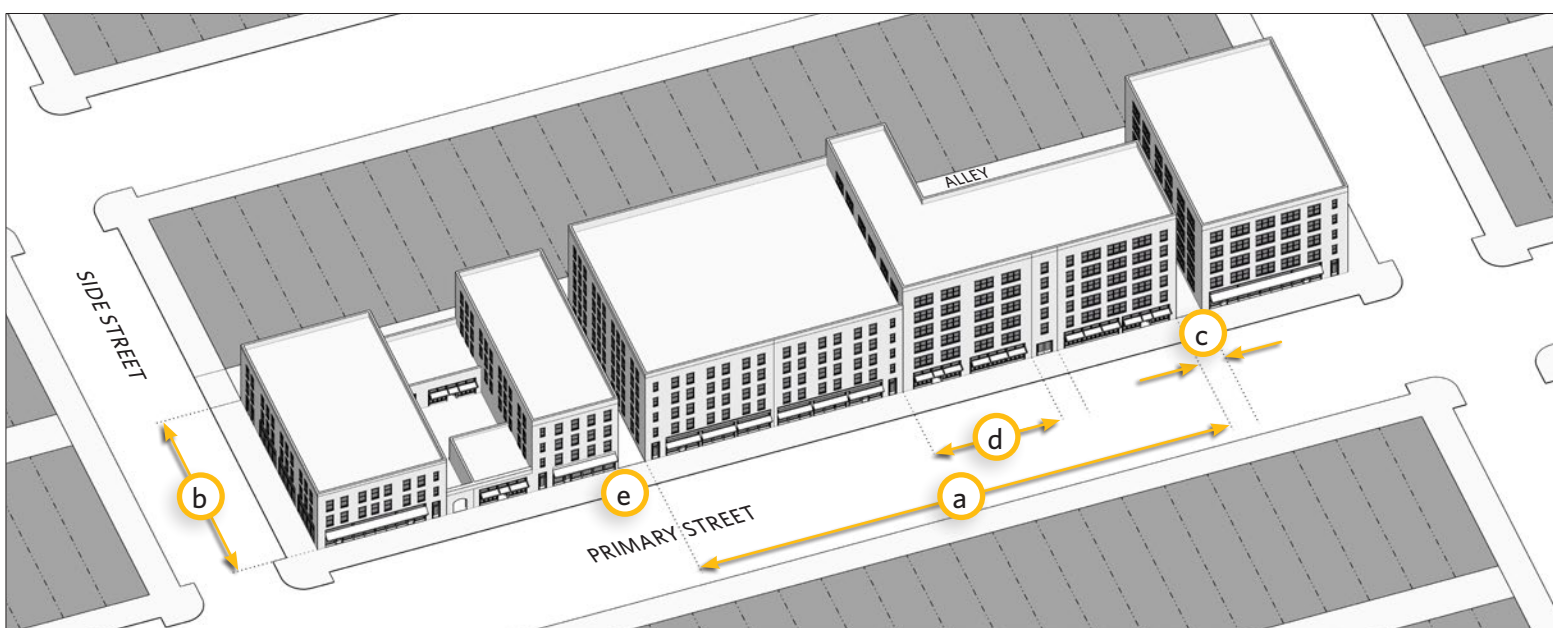
**Private On-Site Open Space:** Where private open space in the form of a yard, balcony, or roof deck is provided for a residential unit, it shall have a minimum area of 40 sf with a minimum width of 5'.



## F - BUILDING SIZE AND SEPARATION

Buildings shall be designed per the following building length and facade increment standards.

- |   |           |   |          |
|---|-----------|---|----------|
| <b>a</b> Building Length along Primary Street     | 150' max. | <b>d</b> Facade Increment   | 75' max. |
| <b>b</b> Building Length along Side Street        | 100' max. | <b>e</b> Recommend adding a minimum of one, ideally two, east-west pedestrian passages on each block. |          |
| <b>c</b> Building Separation along Primary Street | 15' min.  |   |          |



**G - FRONTAGE ELEMENTS, ALLOWED ENCROACHMENTS, AND ACCESS**

**Required Frontage Elements:**

All street- and court-facing building facades shall provide at least one of the frontage elements listed below. Required Frontage Elements may encroach into the Primary Street and Side Street setbacks as measured from the building facade as identified below.

Frontage Element	Encroachment
Shopfront	To R.O.W. line
Stoop	5'
Door Yard	To R.O.W. line

**Optional Frontage Elements:**

The following Frontage Elements may be provided on all street- and courtyard-facing facades. Optional Frontage Elements may encroach into the Primary Street and Side Street setbacks or right-of-way as measured from the building facade as identified below.

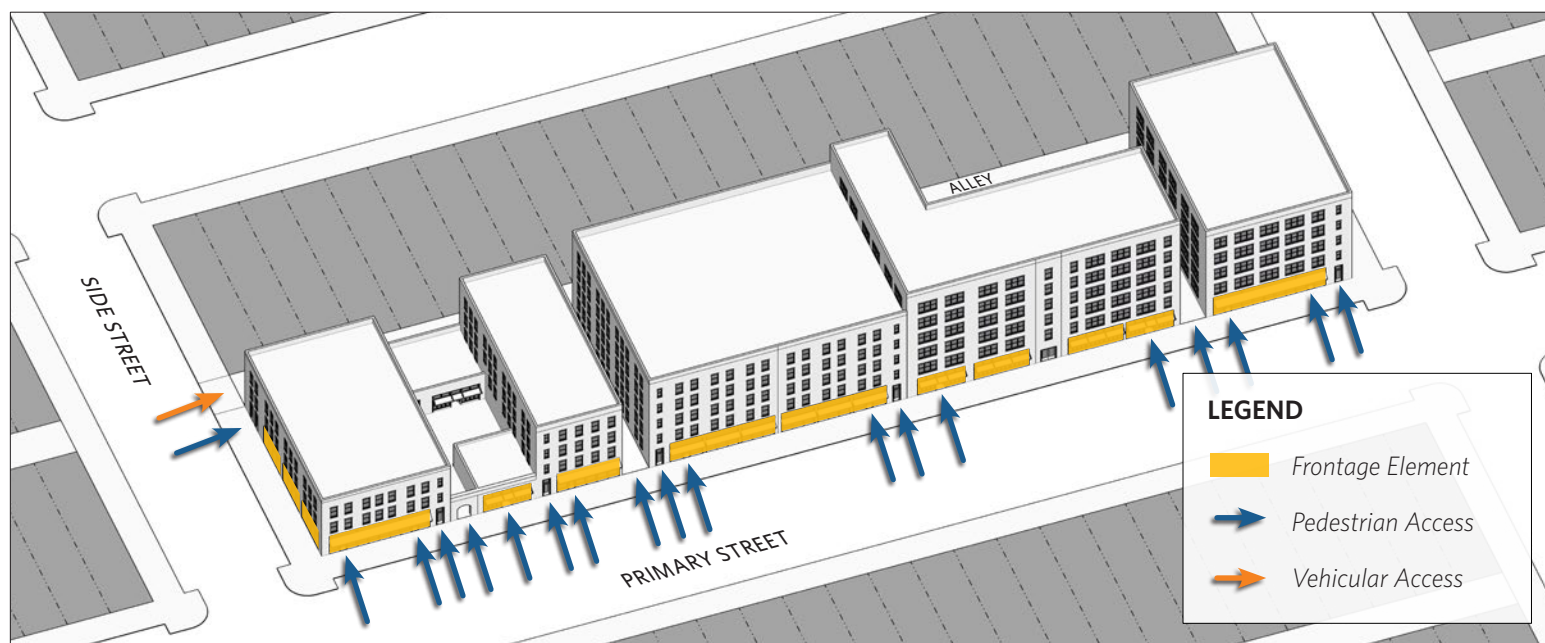
Frontage Element	Encroachment
Balcony (upper floors)	5' into R.O.W./setback
Bay Window	3' into R.O.W./setback
Cantilevered Room	2' into setback
Awning, Canopy	Within 2' of curb

**Pedestrian Access:**

- (a) All ground floors shall be accessed directly from the sidewalk either directly to each unit or commercial space through an appropriate Frontage Element, Lobby, or On-site Open Space, such as a Court.
- (b) Upper floor uses may be accessed through an Exterior Stair, Interior Stair, or Lobby.

**Vehicular Access:**

- (a) Parking access from Broadway is prohibited.
- (b) Parking shall be accessed from an alley or a side street.
- (c) Where an alley is not present (excluding Broadway), parking/service areas may be accessed from primary street. Driveways shall be located as close to the side property line as possible.
- (d) Parking/service areas for corner lots shall be accessed from side street.



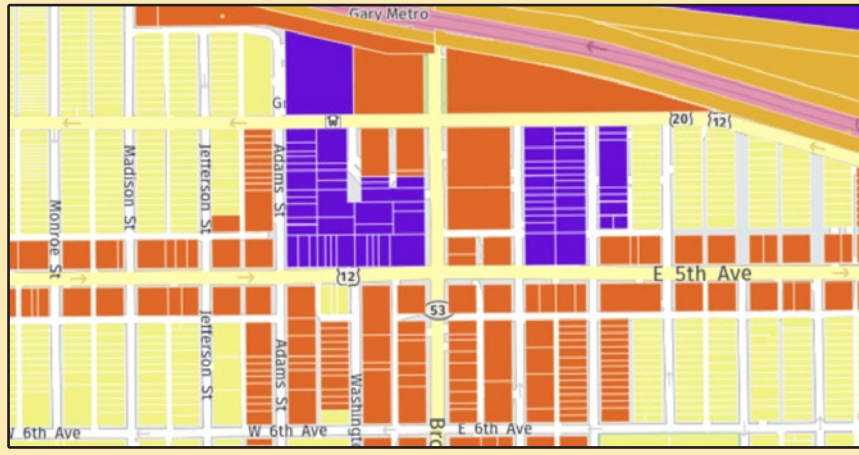
**H - SIGNAGE**

**Allowed Signage Types:** A maximum of two of the below sign types are allowed per business. Signs may encroach into Primary Street and Side Street rights-of-way as measured from the building facade as identified below.

Signage Type	Encroachment
Awning, Canopy	Within 2' of curb
Projecting	3'
Wall / Building ID.	Sign Thickness
Window Sign	0'
Blade	3'
Directory	Sign Thickness

# 7 MANUFACTURING ZONE REQUIREMENTS

## MAP SNAPSHOT: MANUFACTURING-ZONED LOTS



### FINDING:

**A significant number of lots in the downtown core are zoned M-1**

The blocks at and surrounding the intersection of Broadway and Fifth Avenue represent the heart of downtown and the public realm. Many of these lots are zoned as Manufacturing. This classification is incompatible with the standards needed to create a vibrant, pedestrian-friendly public realm.

### RECOMMENDATION:

**In the long term, rezone downtown M-1 lots**

An M-1 designation is antithetical to a safe, welcoming, and active public realm that can thrive economically. In the short term, specific elements of the M-1 code can be adjusted. In the long term, these lots will be rezoned along with the rest of the city.

## CODE EXCERPT: M-1 SETBACK REQUIREMENTS

### M-1 LIMITED MANUFACTURING

MAXIMUM FAR: 1.0 (M1-1), 1.5 (M1-2)

SETBACKS		
FRONT YARD	SIDE YARD	REAR YARD
>25ft.	>10% of lot width, but need not exceed 20ft. in width	For commercial uses: no requirement For residential uses located above the first floor: >30 ft. deep, to begin at a level no higher than the finished floor of the lowest residential unit

### FINDING:

**M-1 setback requirements compromise the public realm**

25' minimum front yard requirements in this portion of the city will prevent downtown from feeling walkable according to the community's vision.

### RECOMMENDATION:

**Eliminate front and side yard requirements**

Downtown buildings should meet the back of the sidewalk. This zone's setbacks should reflect the setbacks specified in the B-2 zone. Side yards may be permitted by review for uses that contribute to the walkability and livability of the downtown core, such as publicly-accessible parks and gardens.

## CODE EXCERPT: M-1 PERMITTED USES

### PERMITTED USES – misc.

- Above ground water storage tank
- Advertising signs (billboards) subject to chapter 117
- Cellular, radio, television, satellite, or cable transmission/reception towers

### FINDING:

**Some permitted M-1 uses are unsuitable**

Many of the processing, storage, or miscellaneous uses permitted within M-1 are incompatible with a functional public realm, and an illogical choice for the downtown core.

### RECOMMENDATION:

**Prohibit M-1 uses that detract from walkability and livability**

The vast majority of wholesale/service/retail uses permitted in the current M-1 zoning work in downtown settings. Prohibit processing uses that require vast open storage/ventilation space and/or blank buffer walls/yards to screen noise, toxins, and odors. Prohibit low-occupancy miscellaneous uses such as storage, transmission towers, or billboards. These manufacturing uses can instead be located between downtown and midtown along the Wabash rail line while also giving special consideration to preserving natural areas and the areas immediately surrounding the future trail along the rail line. If manufacturing buildings and uses will be located along the rail, they should front the trail and never turn their backs to it in order to contribute to the safety and aesthetics of the path.

## PHASE 2: COMPREHENSIVE ZONING REFORM

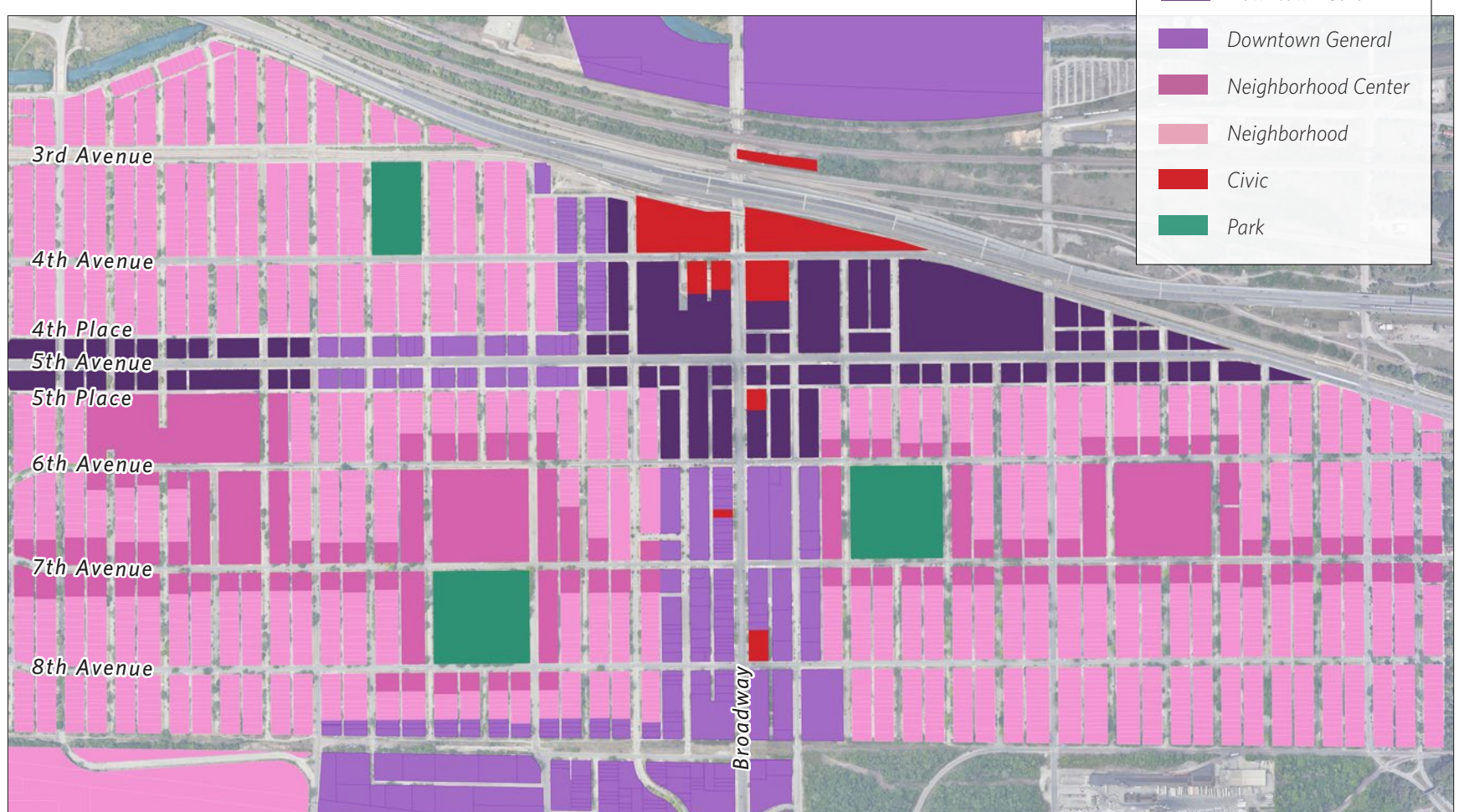
After building momentum with small, impactful changes to the existing code, Gary's zoning code will need a comprehensive overhaul to facilitate sustainable, long-term growth in the city. Removing barriers to development will require replacing the current complicated use-based code with an easy-to-use form-based code. This new code has the opportunity to clarify what has historically been difficult to digest, with straightforward regulations that any citizen can access and understand. A simpler document, with clear language and consistent use of graphics, is much more effective at involving the local community in this process of change.

Rather than dictating the specific use of buildings, form-based codes establish a framework for the intensity of development (building heights, setbacks, etc.) and types of activities (mixed-use, residential, etc.). The Business Zone Specifications on pages 54-57 are an example of a form-based code format.

Figure 40 illustrates a preliminary pass at a proposed form-based zoning map for downtown Gary. Key goals of the proposed zoning code are:

1. Emulate the scale of historic Gary
2. Prohibit new development from overshadowing beloved structures, like 504 Broadway and Hotel Gary
3. Establish a maximum building height of six stories for the downtown core
4. Set a standard of human-scaled buildings that will support the public realm, rather than overwhelming it or disengaging the street
5. Establish a series of neighborhood centers moving east and west away from downtown
6. Fill in the surrounding areas with two- to three-story neighborhood-scale buildings

The notes above are a point of departure for establishing a form-based code for downtown. Further study is needed for detailed reform. Additionally, the proposed zoning map in Figure 40 only includes the focus area for this study. Comprehensive zoning reform will be needed for the city of Gary to promote investment and economic activity throughout the entire community.



**FIGURE 40: Initial Proposal for Comprehensive Zoning Plan**  
The proposed form-based map simplifies regulations and enables development.

### KEY FINDINGS

- 1 Use-based zoning codes are ineffective and harmful**  
*Historically, Euclidean zoning has been used to exclude people and disband mixed-use environments.*
- 2 Code documents tend to be difficult to understand**  
*With few visuals, thorough use of jargon, and excessive regulations, zoning codes are challenging to read.*
- 3 New development will pressure the city to build out of scale**  
*When energy builds in Gary and developers begin to swarm, there will be pressure to build overly large structures, that overshadow historic buildings.*

### RECOMMENDATIONS

- 1 Write a new form-based code for Gary**  
*A form-based code will enable a mixed-use environment with a vibrant and successful public realm.*
- 2 Ensure the new code is extremely clear**  
*Simple, clear language, paired with strong visuals, can make the new zoning code easy to digest for any citizen.*
- 3 Use form and height restrictions to keep downtown Gary at the appropriate scale**  
*Restricting the scale of a building will keep new development in the same language as historic Gary, and will stop new buildings from crowding out historic structures..*