

The  
**AREA PLAN COMMISSION**  
of Tippecanoe County

**Ordinance Committee**  
**Notice of Public Hearing**

Date: June 3, 2020

Time: 4:40 PM

Location: Tippecanoe County Office Building

Tippecanoe Room

20 North Third Street

Lafayette, IN

**AGENDA**

**I. APPROVAL OF MINUTES FROM THE MARCH 4TH MEETING**

Documents:

[ORD 03.04.2020.PDF](#)

**II. ALLOWING SMALL WIND ENERGY CONVERSION SYSTEMS (WECS) FOR INSTITUTIONAL USES:**

A discussion (continued from the January meeting) requested by the Tippecanoe School Corporation which is interested in the possibility of installing small WECS on its residentially-zoned school properties which the ordinance currently prohibits. (Attached are the original memorandum from staff and the minutes from the January Ordinance Committee meeting discussion.)

Documents:

[SMALL WIND SYSTEMS INSTITUTIONAL USES MEMO.PDF](#)

**III. INTEGRATED CENTER (OR BUSINESS PARK) SIGNAGE:**

A discussion regarding business signs within integrated centers and what types of developments can be considered "integrated centers." Continued from the March meeting.

Documents:

[GATEWAY DIRECTORY SIGNS.PDF](#)

**IV. CITIZEN COMMENTS**

**V. ADJOURNMENT**



**AREA PLAN COMMISSION OF TIPPECANOE COUNTY  
ORDINANCE COMMITTEE MEETING  
MINUTES OF PUBLIC MEETING**

DATE.....March 4, 2020  
 TIME.....4:40PM  
 PLACE.....COUNTY OFFICE BLDG.  
 20 N. 3<sup>RD</sup> STREET  
 LAFAYETTE, IN 47901

**MEMBERS PRESENT**

Jackson Bogan  
 Greg Jones  
 Carl Griffin  
 Vicki Pearl  
 Gary Schroeder  
 Larry Leverenz

**MEMBERS ABSENT**

Tom Murtaugh  
 Jerry Reynolds

**STAFF PRESENT**

Sallie Fahey  
 John Burns  
 Kathy Lind  
 Chyna Lynch  
 Zach Williams

**ALSO PRESENT**

|                 |                  |
|-----------------|------------------|
| Chad Spitznagle | Rick Reuss       |
| Steve Clevenger | August Mathisrud |
| Debbie Mann     | Lisa Dillum      |
| Tim Stevens     | Al Beavers       |

Chair Larry Leverenz called the meeting to order.

**I. APPROVAL OF MINUTES**

Carl Griffin said Greg Jones was noted as seconding a motion but was not present at the meeting.

Chyna Lynch said that has been changed in the minutes.

Gary Schroeder moved to approve the minutes from the February 5, 2020 Ordinance Committee meeting. Greg Jones seconded, and the motion passed by unanimous voice vote.

**II. NEWSPAPER LEGAL ADVERTISEMENTS:**

A brief report on changes staff has implemented based on last month's Ordinance Committee discussion. – Kathy Lind

Kathy Lind said the issues that staff had been having with legal advertisements for public hearing cases were discussed at the previous meeting. A few of the ideas that were suggested have been implemented. Staff has implemented four new strategies. First, the standard rezone filing checklist and the standard BZA checklist now include the names and contact information for staff at the local newspapers that do the legal advertisements. If individuals are having issues, they can contact the newspapers directly. Second, when planners on the desk take in new filings, they make a point to talk with the petitioner about the issues that staff has been having with the newspapers to make them aware. Third, when an email is sent to the newspaper, the petitioner is carbon copied to the email. This has worked well so far. She said the fourth change is that she writes a reminder on her desk calendar to follow up with the newspaper to verify they received the legal advertisement.

Jackson Bogan asked when the petitioner receives notification the advertisement has been sent, is verification of the advertisement the responsibility of the staff or the petitioner.

Kathy Lind said it is not on the petitioner at all. It is staff's responsibility to take the legal ads to the newspaper. She asks the newspaper to respond with a confirmation of receiving the email and the date the ad will be published.

Carl Griffin asked about the timeline of the highlighted portions on the filing checklists. They appear to be on the day of the meeting.

Kathy Lind said that highlighted section was added under the proof of publication because that must be obtained before the case is heard.

Carl Griffin asked if this is done before the day of the meeting.

Kathy Lind said the legal ad must be published ten days before the meeting. The advertisement is sent to the newspaper 21 days before the meeting.

Carl Griffin asked if it would be helpful if the two highlighted sections be moved.

Kathy Lind said there is not much for the petitioner to do except wait for the bill to be sent to them.

Carl Griffin asked if this is the petitioner's checklist.

Kathy Lind said that is correct.

Jackson Bogan asked if this should be on the checklist if it is not the responsibility of the petitioner.

Kathy Lind said it is there just in case. From time to time, staff will get a phone call the day before a meeting from a petitioner in a panic because there is no proof of publication and the newspaper has not contacted them. This gives petitioners a point of contact.

Sallie Fahey said it is the petitioner's responsibility to obtain the proof of publication. This is to help the petitioner if they realize they have not received a bill or proof of publication. They can make their own direct contact with the appropriate person at the newspapers. Staff cannot obtain the proof of publication because petitioners pay the bill.

Larry Leverenz said this is adding layers of checking.

Jackson Bogan said if the petitioner follows this checklist and follows up the day of the meeting, the case will be continued. It should be moved up.

Zach Williams said the highlighted section is just in case the petitioner has not received a bill or proof of publication. The case will have been continued if there is not proof of publication ten days before the meeting. This is ensuring that petitioners have the contact information for the people they would need to speak to.

Kathy Lind said if the legal advertisement has been published, the petitioner can get the proof of publication that day.

### **III. INTEGRATED CENTER SIGNAGE:**

Staff is working on an amendment regarding business signs within integrated centers. – John Burns & Kathy Lind

Kathy Lind said integrated center signs and sign regulations in Tippecanoe County are quite confusing. Since this discussion is on changing the regulations, it is important to understand the current regulations. John Burns will give a brief overview on what signage is allowed.

John Burns presented the sign worksheet from the appendix of the sign ordinance which is used to calculate signs for stand alone businesses. There are three main factors that are taken into consideration when calculating how much signage is allowed. First is the zoning of the property; based on the zoning there is a multiplier. Second is the speed limit of the road that the property has frontage along. The higher the speed limit the higher the multiplier. The third factor is building setback; the bigger the setback, the bigger the multiplier. Adding these three figures, calculates the square footage allowed for signage on both the building and the sign for the typical stand-alone lot.

An integrated center is when there is more than one user in a building that share common facilities like a parking lot. They could have their own door like a strip mall or it could be an enclosed center like the Tippecanoe Mall. When looking at the ordinance for an integrated center sign, the first line speaks on building signage for integrated center users. Each user is allowed 5 square-feet of signage per 1,000 square-feet of floor area with a minimum of 40 square-feet above the door and a maximum of 400 square-feet.

The second part of the ordinance addresses the integrated center sign. That is figured based on zoning, square footage of the area and the speed limit. The integrated center sign requires 25% of the sign to be reserved for the name of the center. That is so people identify the name of the center first and the list of occupants secondarily. The table in the ordinance is used to determine all freestanding signs, what their characteristics are, how big they can be and where they are allowed. For integrated center signs, the only portion of the chart that is applicable is height; they start at 5 feet in the residential zone up to 24 feet in industrial zoning. Sign setback for the integrated center sign is equal to sign height. For example, if a business wanted the maximum sized sign of 24 feet, the sign would sit back 24 feet.

Kathy Lind said the developer of Sagamore Commons contacted staff and Chad Spitznagle at West Lafayette with their concerns about signage. They wanted commercial outlots in an integrated center to be advertise on the integrated center sign. This is currently not allowed, although staff found a few businesses that are advertising on the integrated center that are not allowed to. They only wanted monument signs, not pole signs on the commercial outlots. Staff agrees with them on this. They also wanted a way to determine the size of the integrated center sign not based on the size of the businesses in the integrated center because they want to tell prospective businesses the size of the integrated center sign and what could be expected to have in terms of signage.

Jackson Bogan asked Kathy to clarify why the developers wanted these changes.

Kathy Lind said if a developer proposed an integrated shopping center, without knowing the square footage of the center, the size of the integrated center sign could not be determined because the size of the center determines the size of the sign.

Larry Leverenz asked if the integrated center adds a business, will the size of the sign change.

Kathy Lind said the size will stay the same because the panels are removed and replaced easily. Staff and the cities do not have anything to do with the center signs once they are constructed. The management of shopping center determines which business gets a sign and the size of the sign.

Vicki Pearl said as an example, the Payless shopping center in West Lafayette has an integrated center sign. Staff determines the size of the integrated center sign, not the size of the sign that each individual business will have on the integrated center sign. The management of the center decides for the individual businesses.

Kathy Lind said that is correct. Staff determines how tall the sign can be, the setback and how large it can be overall.

Vicki Pearl asked how this would change what the developers are asking for.

Kathy Lind said currently, only a business within the strip center is allowed on the integrated center sign.

Vicki Pearl said if she is a business one building over, she could not be on that sign.

Kathy Lind said that is correct. If there is a stand-alone business in a commercial outlot, it is not allowed on the integrated center sign because it is not considered part of the integrated center.

Sallie Fahey said Christos in West Lafayette is a good example because it is a stand-alone business on a stand-alone lot. They have their own sign.

Kathy Lind said this will change the definition of integrated center to allow commercial outlots to be part of the integrated center. The worksheet in the ordinance that is used for stand-alone lots would no longer be used. The equation of 5 square-feet of signage per 1,000 square-feet of floor area would be used instead with a minimum of 40 square-feet above the door and a maximum of 400 square-feet. Kathy presented the preliminary layout for Sagamore Commons. She said the developer is planning on creating public streets with one connecting to Cumberland Avenue. The issue staff is having with this is if a business wants to locate to a corner lot, it would have three road frontages. This means it would be allowed three free-standing pole signs which staff does not want to see happen.

The changes to the definition of integrated center are highlighted in yellow. She read the new definition and explained the changes. An integrated center is one or more buildings occupying a named site; meaning an integrated center needs to have a name. The part that requires it be under one ownership or management has been removed because there are quite a few integrated centers that have more than one owner. An integrated center contains a number of individual, unrelated and separately operated uses each with their own outside entrance commonly known as a strip center or completely enclosed such as a retail mall. This portion may be removed because the Tippecanoe Mall does not have an integrated center sign with all the stores listed but would be permitted to do so. The definition goes on to say the building or buildings of an integrated center share common site facilities such as driveway entrances and exits, parking areas, truck loading, maintenance, sewer and water utilities, and similar common facilities and services. A building on a commercial outlot which is physically separated from the other uses in an integrated center by curbs and/or landscaping, and which contains its full requirement of parking, but which shares driveway entrances and exits with other uses is also part of that integrated center. It used to be that it would not be included in the integrated center. Signage for the sole business on a commercial outlot within an integrated center shall be determined using the integrated center signage requirements, which is the 5 square feet of signage or every 1,000 square feet of floor area and shall be permitted one freestanding monument sign per lot in addition to the signage allotment, equal to no more than 25% of the allotted amount of signage. Such businesses may also advertise on an integrated center sign. This is saying that each business gets to advertise on the integrated center sign, have a monument sign and fascia signage.

Jackson Bogan asked if each business would get a pole sign.

Kathy Lind said they would not get a pole sign; just a monument sign.

Vicki Pearl said in this scenario, a monument sign would be allowed on both lots and a sign on the building but no pole sign for the different businesses.

Kathy Lind said there would be an integrated center sign and could advertise on it but that would be the only freestanding sign. All the other signs would be monument signs and fascia signs.

Carl Griffin said when a developer comes to present their project, the Committee will see how many potential retail outlets could be there. It would be based on the potential number that the integrated center sign square footage would be determined.

Kathy Lind said she is proposing that it be based on the acreage of the commercial subdivision rather than the square footage of the building.

Sallie Fahey said she was initially unsure whether it should be based on acreage or number of units. She said she thinks acreage is better because in a commercial subdivision, it is not required that a developer fix all the lots at the beginning of the process. They are entitled to create lots in multiple final plats. In Sagamore Commons, in front of cul-de-sacs and between US 52, the developer has platted five lots. This is reasonably well fixed. Behind that, none of the lots to the west have been fixed. Staff has the beginnings of a proposal for the lot that has a building, but it is unclear how many lots will be in this area. Trying to say that the integrated center signage is based on the number of commercial lots will not be able to be done. That is why Kathy went with acreage. The further complication is that there will not be an integrated center anywhere in this development. It is only a commercial development of individually platted lots. No where in this development will there be a thing like a shopping center. Staff is unsure if integrated center should be amended to include what is traditionally an integrated center with multiple uses one building like a strip center or if a new section of ordinance should be added that talks about signage for commercial subdivision whether they have public streets or not. Staff is not completely settled on this yet because this situation will never have what is considered an integrated center. This has not been an easy issue to figure out what makes sense.

Larry Leverenz asked in the case of the changes that were listed, each of the lots could have a monument sign and a sign on Sagamore Parkway listing all the businesses.

Sallie Fahey said it would not have a monument sign, it would have an integrated center sign.

Kathy Lind said originally, before the assisted living facility was proposed, staff envisioned a big box store or a strip center with outlots going in this area. If that were the situation, there would only be monument signs along the frontage or they could choose to have fascia signs on their buildings facing Sagamore Parkway and keep the monument sign for behind which would be up to the business owner. A big box store would not have a monument sign; they would have a huge fascia sign. This is complicated because if there is no strip center, is it an integrated center? Meijer in West Lafayette has an integrated center along its frontage that is not named but there is an integrated center sign.

Chad Spitznagle said it is called West Lafayette Shops and they have an integrated center sign.

Vicki Pearl said she has never noticed that sign.

Kathy Lind said throughout the process of researching integrated center signs, she found numerous places that she did not think had an integrated center sign that ended up having one.

Vicki Pearl said where her new office is, there is not an integrated center sign and if there is a sign, she has never noticed it.

Kathy Lind asked her where her office is located.

Vicki Pearl said it is located across the street from Meijer in West Lafayette in a strip center.

Sallie Fahey asked if the strip center is named.

Vicki Pearl said if it is, she does not know the name.

Sallie Fahey said it cannot have an integrated center sign without a name.

Kathy Lind said staff has seen ways around that.

Sallie Fahey said if the integrated center is not named then that is a way to get around having freestanding signage on a busy highway a business would not normally get.

Kathy Lind said she does not prefer integrated center signs and does not typically notice them.

Vicki Pearl said most people do not notice them because they are from this area. When people that are not from this area visit, they will use the integrated center signs to navigate around town.

Larry Leverenz said that brings up the question of if this is a traffic hazard. He asked if that plays into this ordinance. If there are five business, its not a big deal, but if there are more it could be an issue.

Kathy Lind said some of business signs on some of the integrated center signs are so small, it is easier to see the signs on the building.

Vicki Pearl said if someone is not familiar with an area and they are trying to find something, they are probably looking at these large signs.

Kathy Lind showed examples of integrated center signs in Tippecanoe County. She said the Pavilions sought variances to have three 30-foot free-standing signs. Each of the three signs have different advertisements. The Pavilions is a case of an integrated center that has integrated centers. In its commercial outlots, there are several buildings that have several businesses. She said when she came up with the acreages, she thought if the area is 5 acres or smaller, they will not get an integrated center sign. There is an integrated center in Lafayette that has a free-standing sign on a 2.5-acre lot. The threshold has been changed so 3 to 15 acre lots can have an integrated center sign but anything under 3 acres can not.

Vicki Pearl said in all the examples the lots are facing a main street. In the plan for Sagamore Commons, these large signs would not be seen from Cumberland unless the lot had frontage.

Kathy Lind said that is correct. This is the first attempt at making these changes. She said she went around town to take pictures of these signs and they are everywhere especially along 350S. This amendment has not been taken to the Administrative Officers.

Tim Stevens, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said he is the manager for Sagamore Commons LLC which is the developer for the project in discussion. This discussion started after speaking with staff about creating an integrated center and getting an integrated center sign. Staff told them they do not have an integrated center and they do not get a sign. In different communities, an integrated center is essentially a business park. The hope was to have a large pylon sign at the front of the development. This would be a win-win because this would eliminate all the of the individual 24-foot tall, 100 square-foot pole signs each of the five outlots would be allowed to have. He said they would prefer to eliminate the forest of pole signs along the highway and have fascia or monument signs for the rest. Staff agreed that it would be a better look, but the ordinance does not allow this. The goal is not to have 500-square feet of pole signs and only have the proposed 200-square feet sign.

He presented pictures of integrated center signs in the Indianapolis Metropolitan area. He said these are indicative of directory signs in this area and are like the signs Kathy presented. They range in height from 16-feet to 30-feet and are ideal for the business park. He said we would like for an integrated center to include the business park rather than a cluster of buildings in single ownership. This would make it easy to identify the 28-acre site is an integrated center and the sign would serve only the businesses along the frontage. No other business along the frontage would get to have a pole sign.

The ordinance currently states that 25% of the overall allotted signage must be the name sign for the integrated center which seems too large. Of the example signs shown, the name sign ranges from 10% to 25% of the overall signage. It is a good idea to name the center because businesses can advertise the general area and people can reference the center.

Carl Griffin said some of the example signs presented do not have names.

Tim Stevens, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said that is correct. There are some directory signs where people sought the large sign but without a name. He presented the drawing of the proposed sign for Sagamore Commons and examples of integrated centers in Lafayette and West Lafayette. Market West does count as an integrated center because of the multiple buildings under one ownership. The goal

is to allow the proposed assisted living center to have a panel on the sign by the highway. It would be advantageous for both parties and helpful for people navigating. The idea is to show where the businesses that are not located on the frontage are located to the traveling public. This has worked well on other projects. He said he and Debbie Mann had been working closely with Kathy and John to work through the complications.

Debbie Mann, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said they want to make sure that the lots in the back that do not have frontage get signage. How it is defined, whether the definition of integrated center be changed or something different created, will affect future developments that want signage along the frontage. For this project, there would be 200 square-feet of panels allowed. 25% of that being used for the name would leave only 150 square-feet for businesses to advertise. She said they understand that the integrated center needs to be named and they want it named. She asked does it need to be 25% of the sign or can it just be included? This would also depend on the height of the sign. Typically, the taller the sign, the more businesses in the center like it. As far as safety issues, the signs that are lower to the ground are harder to see. If the sign is capped at 24-feet, the panels will have to go closer to the ground. If the sign can be taller then the panels can be up higher. There are different definitions used in the ordinance about what can be on the sign, but the goal is have every business that does not have frontage to be on the sign. In return, the outlot users will not be able to have pole signs.

When there is an integrated center sign for a 30,000 square-foot strip mall and the signage on the building is figured out by an equation. If the same equation is used to find the square-foot of signage for a 5,000 square-foot restaurant, will they have enough signage? When thinking about the site for the possible Culvers, they will want signage on the building. She said she did not look at what a Culvers or another business could get or use in terms of signage. When making these amendments, it would be good to ensure the same matrix is not used to figure the signage for a 30,000 square-foot building and a 5,000 square-foot building.

Jackson Bogan asked if that is where the current variance requests comes into play.

Kathy Lind said they could have a variance request but for a 5,000 square-foot building they are guaranteed at least 40 square-feet of signage.

Debbie Mann, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said that would be for the integrated center. If it were a stand alone building, what would they be allowed?

Kathy Lind said if it is a stand-alone business on a commercial outlot, it would get the same.

Chad Spitznagle, 1200 N Salisbury, West Lafayette, IN 47906, said they would receive 140 square-feet of signage.

Debbie Mann, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said retailers are very picky about signage and every retailer wants a corner lot. She asked that the signage on the integrated center not replace the building signage. This will need to be keep in mind when amending the definition of an integrated center. She agrees with leaving the integrated center definition the same and creating something new for areas like Sagamore Commons.

Sallie Fahey said she would for us to get away from calling these outlots because in the subdivision ordinance, an outlot is a not buildable drainage pond or a common facility. The lots being discussed this evening are all commercial lots. When developing the ordinance, they will be called commercial lots because outlots is a real estate term, not a planning term. The other concern is that careful consideration will need to be taken for building signage because it is calculated based on number of road frontages, speed of the road and distance back from the road. The Culvers lot, for example, will have 140 square-feet of building signage which is ridiculous because they are already at the highway and they will be on the integrated center sign. Will they also receive a monument sign? The amount of signage needs to be balanced. Right now, there is more signage to the smaller lots in the front and less signage for the bigger lots in the back which does not make sense. Staff must think about balancing all these things as the

ordinance is written. It is not as simple as it appears on the surface as there are quite a few intricacies to this that require thought.

Larry Leverenz said there are different real estate configurations being developed and created. He asked if we need a new definition for a business park. Strip malls were not always around so when they came about, they were dealt with. He asked if we are at the point where we will see this kind of development more frequently.

Sallie Fahey said we could potentially be at that point.

Jackson Bogan asked if an integrated center with two occupants be named and have an integrated center sign.

Sallie Fahey said that is correct. Someone could have a two-business building, name it, and get an integrated center sign.

Jackson Bogan said maybe staff should consider if an integrated center sign is needed based off the potential size of the development. For instance, everyone knows the Pavilions in Lafayette but, no one knows the integrated center where CoreLife is located because it is so small.

Larry Leverenz said Clay Terrace is an example of a development that almost looks like a town. There is signage on each of the businesses but is there a monument sign?

Sallie Fahey said she is not sure if there is a monument sign. Its unclear if it was all negotiated as a planned development.

Tim Stevens, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said he is familiar with this project. Clay Terrace has a small brick sign at each of their entries. There are large wall signs for the major tenants. For the overall project, it is unusual because the only large sign is for Clay Terrace name sign. That was part of the planned development which was controversial at first. The area was rezoned to allow the large retail center.

Vicki Pearl asked Jackson to clarify his idea about not allowing developments of a certain size to have a name.

Jackson Bogan said by the current rules, an integrated center sign would be allowed with 25% of the sign being used for the name of the center and the names of the two tenants. It seems a like too much. It may be a good idea to look at the size of the development.

Debbie Mann, 6925 E 96<sup>TH</sup> Street, Indianapolis, IN 46250, said that scenario would probably not happen because an integrated center sign is about \$50,000 to build. Clay Terrace is simply a mall that is not enclosed. In discussions on monument signs and building signs, staff proposed changes based on total signage. For example, if a business is given 75 square-feet of signage, they can use 25 square-feet for a monument sign and the other 50 square-feet for a building sign. She said she agrees with this change because a retailer will take everything they are given. There must be limitations.

An integrated center, by definition, is a strip mall. If this is not called an integrated center or if there is a new definition created in the ordinance, if someone takes one of the outlots and builds a 10,000 square-foot center with 3 tenants, those tenants would still need to be on the center sign. The ordinance should allow those in the center and the individual lots to be on the integrated center sign. Its understandable that not everyone will be able to be on the sign because it is only so big, but bigger users will need to be on it.

Sallie Fahey said she agrees with Debbie. If there is a user that wants this part of the land to build one building with four tenants, staff does not want them to claim that they also get an integrated center sign. This ordinance will have to be written so there are not integrated center signs inside of integrated centers.

Zach Williams said if there are no transfers down the road where it is evaded by splitting the property again to create a second integrated center just by the definition in the statute. This will need to be done and never allowed to be changed regardless of what happens with this property.

Jackson Bogan asked if a new classification is needed.

Sallie Fahey said she thinks that may be cleaner, but it has not been settled with the Administrative Officers. That will be the next big decision in this proposal.

Larry Leverenz asked what the timeline is for this.

Sallie Fahey said there are some parts that staff would like to be resolved quickly because Sagamore Commons has people ready to build as soon as the weather breaks. Staff is concerned that those that have bought the five lots may have a huge amount of signage as a stand-alone lot then requesting to be on the integrated center sign after this amendment is passed.

Greg Jones said he has noticed in the up-scale suburban areas on Florida there are mixed-use areas that are not seen in Indiana. In these areas there are condos, restaurants and office buildings that use the same large center sign.

Sallie Fahey said places like that have varied types of sign ordinances. There are some parts of the country where McDonalds do not have pole signs with modest building signs that do just fine.

Larry Leverenz said there is one other topic of discussion.

Sallie Fahey said before the meeting, Rabita Foley informed her that Dan Rhodes from Duke Energy had contacted her about the tour of the solar farm on the west side of US 231 at Purdue. On April 16<sup>th</sup> at 1 pm, everyone is invited to their ribbon cutting ceremony. That day would be a great day for a tour because their experts will be here. She said we will ask the Committee what time that day everyone will be available for a tour and Q&A with their experts. Everyone will get a follow up email from Rabita to let her know what time you all will be available. This would be the day after the April APC meeting.

## **I. CITIZEN COMMENTS**

None.

## **II. ADJOURNMENT**

Gary Schroeder moved to adjourn.

The meeting adjourned at 5:50 p.m.

Respectfully Submitted,

Chyna R. Lynch  
Recording Secretary

Reviewed By,



Sallie Fahey  
Executive Director

## MEMORANDUM

TO: APC Ordinance Committee  
FROM: Larry Aukerman Planner  
SUBJECT: **Small Wind Systems**  
DATE: January 2, 2020

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Recently staff was contacted by the Energy Manager for the Tippecanoe School Corporation. TSC is working with Purdue to investigate making schools less energy dependent. The discussion included small wind systems and solar panels. During this discussion, staff realized that small wind systems are not permitted as accessory structures to schools in residential zones.

Staff discussed options that will allow small wind systems on school properties in residential zones. **Small wind systems** have a total height of 140' or less and a swept area of 40' or less and are only allowed as accessory structures in **commercial, industrial** and **rural** zones. (As a reference, the CityBus wind towers are 155' in height and have a swept area of 70'.) All TSC schools are zoned residentially. Most are zoned R1, except Woodland which is zoned R1A, and Wyandotte which is R1B, (two schools are within the Shadeland corporation limits and not affected by this ordinance.) Instead of allowing small wind systems on all properties in residential zones, staff is proposing allowing these systems as accessory structures to "institutional uses in residential zones." The term, "institutional uses" is already found in the UZO in the sign section which defines them as uses found in SIC 801-972 which are also permitted under Section 3-2 (the permitted use table) in residential zones. SIC 801-972 include: nursing and personal care facilities; elementary and secondary schools; colleges, universities; libraries; museums, fire and police stations, etc.

Staff has also discussed the production limits placed on the towers of 50 KW per wind tower. Staff would like to get rid of the production limits placed on the definitions of large and small wind systems. The argument/reasoning is that if a tower can be created that meets the size limits of a small tower, then the energy produced should not be limited. Tower efficiency should not be stymied by our ordinance.

### **RECOMMENDATION:**

A motion to forward this ordinance amendment to the full APC

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER \_\_\_\_\_  
OF ORDINANCE NO. \_\_\_\_\_  
BEING THE UNIFIED ZONING ORDINANCE  
OF TIPPECANOE COUNTY.**

**Be it ordained** by the (County Commissioners of Tippecanoe County, Indiana; the Common Council of the City of Lafayette, Indiana; the Common Council of the City of West Lafayette, Indiana; the Town Council of the Town of Battle Ground, Indiana; the Town Council of the Town of Dayton, Indiana; and the Town Council of Clarks Hill, Indiana), that Ordinance No. \_\_\_\_\_, being the Unified Zoning Ordinance of Tippecanoe County is hereby amended as follows:

**Section 1:** Change **UZO Section 1-10-2 Words and Terms Defined** by amending the following two entries:

**LARGE WIND SYSTEM.** A **WECS** that has a nameplate capacity (manufacturer's rating) of more than 50 kilowatts per **wind tower**, or a **total height** of more than 140' or a **swept area** of more than 40'. Any **WECS** meeting one or more of these criteria shall be considered a **large wind system**.

And

**SMALL WIND SYSTEM.** A **WECS** that has a nameplate capacity (manufacturer's rating) less than or equal to 50 kilowatts per **wind tower**, and a **total height** of 140' or less, and a **swept area** of 40' or less.

Would both be amended to read as follows:

**LARGE WIND SYSTEM.** A **WECS** that has a **total height** of more than 140' or a **swept area** of more than 40'. Any **WECS** meeting one or both of these criteria shall be considered a **large wind system**.

**SMALL WIND SYSTEM.** A **WECS** that has a **total height** of 140' or less, and a **swept area** of 40' or less.

**Section 2:** Change **UZO Section 4-1(b) Additional Use Restrictions, Accessory Uses, Accessory Structures and Accessory Buildings** by adding the underlined phrase to read as follows:

(27) **small wind systems** (only in commercial, industrial and rural zones, and also at institutional uses in residential zones as regulated in 4-11-11):

This ordinance shall be in full force and effect from and after its passage.

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY  
ORDINANCE COMMITTEE MEETING  
MINUTES OF PUBLIC MEETING**

DATE.....January 2, 2019  
TIME.....4:40PM  
PLACE.....COUNTY OFFICE BLDG.  
20 N. 3<sup>RD</sup> STREET  
LAFAYETTE, IN 47901

**MEMBERS PRESENT**

Jackson Bogan  
Greg Jones  
Carl Griffin  
Jerry Reynolds  
Gary Schroeder  
Larry Leverenz

**MEMBERS ABSENT**

Tom Murtaugh

**STAFF PRESENT**

Sallie Fahey  
Ryan O’Gara  
Kathy Lind  
Chyna Lynch  
Zach Williams

**ALSO PRESENT**

Chad Spitznagle  
Steve Clevenger

Chair Jackson Bogan called the meeting to order.

**I. APPROVAL OF MINUTES**

Gary Schroeder moved to approve the minutes from the December 4, 2019 Ordinance Committee meeting. Greg Jones seconded, and the motion passed by unanimous voice vote.

**II. ALLOWING SMALL WIND ENERGY CONVERSION SYSTEMS (WECS)FOR INSTITUTIONAL USES:**

A discussion requested by the Tippecanoe School Corporation who is interested in the possibility of installing small WECS on its residentially zoned school properties which the ordinance currently prohibits.

Kathy Lind said staff member Larry Auckerman was contacted by Tippecanoe School Corporation about the possibility of having small wind systems on school properties. In May of 2019, the use of large wind systems was banned but small winds systems were not discussed. Small wind systems are currently allowed as an accessory use in commercial, industrial and rural zones; not at the residentially zoned schools. This proposal would change the ordinance to allow small wind systems for institutional uses zoned residentially. Institutional uses could include nursing and personal care facilities; elementary and secondary schools; colleges; universities; libraries; museums; fire and police stations.

Jerry Reynolds said the concern with the water tower that was a recently approved rezone for a school, was its proximity to a large housing addition. He asked if these wind systems can be approved on an individual basis.

Kathy Lind said the small wind systems are only permitted as an accessory structure to an existing use. Tippecanoe School Corporation would like to be able to do this on school properties in the future. These small wind structures are 140’ or less in height with a 40’ or less swept area. The CityBus wind towers are 155’ in height. So, the proposed wind systems would be smaller.

Jerry Reynolds said city council is still getting grief on the CityBus wind systems. The schools that sit around the city limits would be an issue.

Carl Griffin asked how the smaller systems do not create the same problems as the larger systems.

Kathy Lind said the large wind systems were over 400' in height; these are 140' or smaller in height.

Sallie Fahey said the large wind systems are not accessory to anything. They are for the sole purpose of an electrical company generating energy. The larger wind systems have multiple turbines with 400' or 500' towers.

Carl Griffin asked how the small wind systems avoid the same problems as the large systems. The Committee decided the large systems could not be done due to the problems presented through research and public comment. There are good things about wind; despite that, the Committee decided that it would not be allowed in Tippecanoe County because of the negative aspects. He was unsure how size gets rid of the negative aspects.

Gary Schroeder said the large wind farms would tie up thousands of acres of land for 50 to 100 years. In terms of development growth, nothing could be done around the farms because of setbacks and easements. The Committee felt that in a community with a dense population and growth pattern, these large wind farms would be better suited for a rural community. The other issues that were presented during public comment like flashing and noise, might be applicable to these smaller farms on a minor scale. The large wind farms were decided against for developmental reasons as opposed to the perceived side effects.

Sallie Fahey agreed with Gary. She said the large wind farm ban was more of an economic development issue. When the ordinance was written in 2012, wind towers were not being built higher than 300'; they are now being built 500' in height.

Carl Griffin asked if this item is approved, will it require a public hearing to install the ordinance amendment.

Kathy Lind said it would require a public hearing.

Carl Griffin said there are a lot of people that have concerns about having a small wind system in their community. He asked if he wanted to put his carport up close to his property line if he would need a variance.

Kathy Lind suggested that the small wind system be a special exception.

Carl Griffin said if he wanted to put his carport up close to his property line he would need a variance.

Sallie Fahey said this is not a variance because of the definition of an accessory use.

Jackson Bogan asked that if this amendment to the ordinance is passed, will it define by-right for institutional uses. He asked what the institutional uses would be.

Kathy Lind said the list of institutional uses come from the sign section of the ordinance because sign requirements and limits on residential is small. The largest signs allowed are real-estate sign that are 2' by 3'. Institution uses, like fire stations and schools, require larger signs which is why they are called out in the sign section of the ordinance. Staff is using the same terminology for the small wind systems.

Jackson Bogan asked for examples of institutions.

Kathy Lind said nursing and personal care facilities; elementary and secondary schools; colleges; universities; libraries; museums; fire and police stations would all be examples of these types of institutions.

Jerry Reynolds said this would be opening a big can of worms.

Jackson Bogan said this discussion goes further than just the schools.

Jerry Reynolds said this is more than just a school issue because there are multiple fire stations and nursing home facilities in the city. This requires a larger discussion with more public input. This amendment allows for multiple agencies to have a small wind system. There would be a lot of upset people if we passed the amendment this evening.

Jerry Reynolds said he would need to discuss this with fellow council members before making any decision.

Sallie Fahey said the list of institutional uses could be narrowed down.

Kathy Lind said the small wind systems could be limited to only schools.

Jackson Bogan asked what other avenues could be pursued. No one is against wind energy; we just want to protect everyone's interest. What other avenues would Tippecanoe School Corporation have to install a small wind system if the ordinance is not changed.

Kathy Lind said they could possibly do a micro wind system, which is even smaller system but goes on a building.

Sallie Fahey said they could also rezone but, a commercial or agricultural zoning on a school with sewer and water is inappropriate.

Jackson Bogan said that may allow more time for public comment. He agreed that this amendment could be opening something that a lot of neighbors would not be happy about.

Gary Schroeder asked if there is a way to make this a special exception.

Kathy Lind said the wind system would have to become a primary use. An accessory use cannot be varied or approved by special exception.

Sallie Fahey said its like having a garage as an accessory use; a small wind turbine at a school is an accessory use.

Carl Griffin asked what percentage of electricity the wind turbines at CityBus generate. He thought it was about 10-12%. The turbines at CityBus are larger than the proposed wind system. The contribution may not be great. He said he had a problem with allowing the small wind systems.

Jerry Reynolds said he can think of some people that will not be in favor of the amendment. There was a lot of discussion just on the new, large water tower. If this amendment is passed, there will be quite a few unhappy people.

Sallie Fahey said this could be limited to just schools.

Jerry Reynolds said it depends on how many schools there are. Some of the schools in Lafayette are in the middle of housing developments. There needs to be more discussion before this moves forward.

Carl Griffin asked how tall the communication tower by Saint Mary's on Columbia is.

Jerry Reynolds said it is 130'. The older water towers start at 150'.

Sallie Fahey asked if this has come up with the city climate resolution.

Jerry Reynolds said they had not had all the meetings yet as some of them had been canceled.

Sallie Fahey asked if it was his opinion that the city would not be interested in having any wind turbines to try to meet the climate resolution.

Jerry Reynolds said he does not believe that this is at a stage to have that opinion. The City of Lafayette would want to heavily discuss this before making any decisions. This needs to be walked through carefully to see what the effects of this could be. People could take advantage of this.

Sallie Fahey asked how people would take advantage of this if it were just limited to schools.

Jerry Reynolds said the people that live near the schools might be resistant to this change. Many of these schools are in tightly packed residential areas.

Kathy Lind said she can see where it would be an issue for schools in that type of area. On the other hand, if it were at Harrison High School or Jefferson High School, it would not be such a big deal.

Jerry Reynolds said those schools have significantly more acreage. Across the street from Harrison are two other schools; one with a new housing development behind it.

Kathy Lind said she had not spoken with this person from Tippecanoe School Corporation to find out what schools they had in mind. She thought the possibility of only high schools would work well.

Jackson Bogan said the way this stands today, it would allow for these small wind systems at libraries which sit close to subdivisions.

Jerry Reynolds said nursing homes also sit close to homes.

Kathy Lind said this can be narrowed down. If the Committee does not want small wind systems at schools at all, the answer is no.

Jerry Reynolds said more discussion is necessary to decide on this.

Sallie Fahey asked if this agenda item should be tabled or should a motion be made to not pass it on to the full APC.

Jerry Reynolds said he thought tabling this item would be appropriate at this point.

Gary Schroeder moved to not pass this ordinance amendment to the full APC and resume discussion at a later date. Carl Griffin seconded.

Carl Griffin asked Larry Leverenz if it would be a good idea to meet with the West Lafayette mayor to talk through this.

Larry Leverenz said he thinks that would be a good idea and that he agrees with Jerry Reynolds. From an energy standpoint, there isn't anyone opposed. However, looking at schools in West Lafayette is the same as Lafayette; they are closely packed in neighborhoods. There are a lot of questions that need to be asked; there needs to be discussion among each jurisdiction.

Sallie Fahey said the discussion this evening gives everyone information to initiate further discussion in each jurisdiction. She reminded the Committee that this cannot be done through a special exception because it is an accessory use but, the scope of where they are allowed can be narrowed down.

Carl Griffin asked if acreage could be dictated to allow only a certain amount of acreage.

Greg Jones said that setbacks could also be dictated. There are appropriate locations.

Sallie Fahey said setbacks would not be listed; just the minimum acreage requirement.

Jackson Bogan asked for this to be brought back to the Committee, if the City of Lafayette or West Lafayette would need to initiate it.

Sallie Fahey said to be fair to the public, staff would need to know to bring it back to allow time to notify the public and put it on the agenda.

Jackson Bogan asked the Committee if they would be ready in two months to bring this back.

Jerry Reynolds said he would be gone until April as would Larry Leverenz.

Sallie Fahey suggested to bring this agenda item back in May or June

Jackson Bogan said June would work.

The motion passed by unanimous voice vote.

Kathy Lind said the memorandum discusses production limits placed on the towers. Right now, a small wind tower has a limit of 50 KW. Staff discussed doing away with that limit because as technology improves, it would be an arbitrary way to limit the wind tower. This can be included with what happens in June.

Jackson Bogan asked if there needs to be any adjustments made to other described systems.

Kathy Lind said there needs to be a change to the definition of a large wind system.

Jackson Bogan asked that these corrections be made before the June meeting to take care of everything at the same time.

### **III. CITIZEN COMMENTS**

None.

### **IV. ADJOURNMENT**

Gary Schroeder moved to adjourn.

The meeting adjourned at 5:07 p.m.

Respectfully Submitted,

Chyna R. Lynch  
Recording Secretary

Reviewed By,



Sallie Fahey  
Executive Director

## MEMORANDUM

TO: APC Ordinance Committee  
FROM: Kathy Lind, Senior Planner  
SUBJECT: Business Park Signage  
DATE: May 28, 2020

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At the March meeting, this discussion was on “integrated centers” and the definition of integrated centers and how big these centers would need to be to have an “integrated center sign”. But that wasn’t what initiated the conversation. What started the discussion was the currently under construction Sagamore Commons major subdivision on the west side of Sagamore Parkway West, north of Applebee’s. This development is not an integrated center. The main difference is most integrated centers, Tippecanoe Mall, the Pavilions, Market Square, and University Square for example, do not have public streets running through them. Sagamore Commons is being platted with public streets dividing the commercial lots for sale. Instead of changing the definition of “integrated centers” to make Sagamore Commons fit, staff decided to start from scratch with a definition of a new entity: a “business park” with a new type of sign: a “gateway directory sign”.

The owner of Sagamore Commons was looking for a sign to be erected on Sagamore Parkway West, that advertised the businesses located off-site but within the commercial subdivision. The sign would be 253 square feet and 30’ in height with the supporting structure clad in brick. The developer also wanted limits placed on individual freestanding signage within the commercial subdivision; staff agreed that our current sign section was too generous in allowing multiple freestanding signs. (As evidenced by the CVS on 18<sup>th</sup> and Union – which if not a PD would have been allowed to have four freestanding signs, or the Speedway station at Creasy and SR 38 with two freestanding signs just 30 feet apart.)

The proposal (attached) creates definitions for a business park and for a gateway directory sign. The definitions also put limits on freestanding signage within a “business park” by requiring them to be monument signs, of no more than 25% of the signlot’s allotment of signage. All other signage per lot would be required to be fascia signs on the face of the building. It also for the first time places a limit on the sign calculation worksheet: any business (not just within a business park) with three or four street frontages would only get to include a maximum of two in the sign calculations. Finally, it places a limit on the number of allowed freestanding signs to 1 per standalone business unless the total of all street frontages equals 2000’ or more. In that case a second freestanding sign is allowed but only on a different street than the first sign.

The previous discussion regarding integrated center signage showed that there is some necessary tightening needed of these regulations as well. But addressing the Sagamore Commons signage question concerns needed to be fast-tracked.

**BUSINESS PARK.** A commercial subdivision with internal public streets, containing more than two lots, the limits of which are created by the approved preliminary plat, with a **gateway directory sign** located near the main entrance from the perimeter arterial street, that advertises the businesses located on the lots within the subdivision. In addition to advertising on the **gateway directory sign**, businesses within a business park may have no more than one **monument sign** equal to 25% of the business’s total allotment of signage located on its **sign-lot**. All other signage for businesses within the business park shall be fascia signage. A business park is not an **integrated center**.

**GATEWAY DIRECTORY SIGN.** A sign located at the main entrance of a **business park** that advertises the businesses located within a commercial subdivision. A minimum of 25% of the sign’s supporting structure shall be composed of brick, masonry, or stone. The name of the **business park** shall comprise at least 20% of the total sign area of the gateway directory sign. The size and height of a gateway directory sign is as described in Section 4-8 below. A gateway directory sign may only be erected within a sign easement.

**Gateway Directory Sign** calculations

Sign area equals:

| Zonal Base Rate | x | Property area factor      | x | Road speed limit factor |
|-----------------|---|---------------------------|---|-------------------------|
| 40 sq.ft.       |   | 10 acres or smaller = 1.5 |   | 40mph or less = 1.5     |
|                 |   | Over 10 acres = 2.5       |   | 45mph or more = 2.5     |

Sign height maximum:

| Sign Area               | Sign Height |
|-------------------------|-------------|
| 100 square feet or less | 20'         |
| 101 to 200 square feet  | 25'         |
| Over 200 square feet    | 30'         |

Minimum sign setback is no less than the sign height.

Other proposed changes to allowed signage in general:

- Change the sign worksheet formula found in Appendix D-2, “Calculating Maximum Sign Area for a Sign-lot” to include up to 2 frontages only instead of including all frontages as shown below:

Step 1: Calculate A x B x C x D (for every frontage **not to exceed two**) = E

- Change 4-8-6 Number per Sign-Lot...of Individual Freestanding Signs. Currently 1 freestanding sign is permitted per road frontage in the commercial zones. This proposal would place a limit on the number of freestanding signs:

Maximum Number of freestanding signs Permitted per Sign-Lot: **1 (unless the total of all street frontages exceeds 2000’, then a second freestanding sign on a different road frontage than the first, is permitted in a commercial zone or for an institutional use in a residential or rural zone.)**