

ORDINANCE NO. 2014-05-CM

AN ORDINANCE TO AMEND THE SUBDIVISION ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, NO. 79-31

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED SUBDIVISION  
ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A  
UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:

**Section 1:** Change **USO Section 3.5(3)(a) Parcelizations** by adding the A  
and AW zones to the following table:

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
A, AW, AA	2	2 acres

\*Unless Tippecanoe County Ordinance 99-30CM or its successors requires  
more.

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

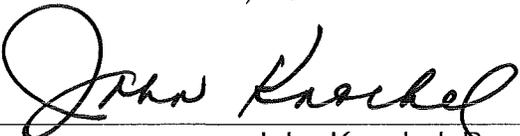
(Adopted And Passed) (Denied) by the Board Of Commissioners of  
Tippecanoe County, Indiana, this 5<sup>th</sup> day of May, 2014.

VOTE:

Yes

Yes

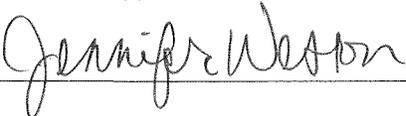
Yes

  
John Knochel, President

  
Thomas Murtaugh, Vice President

  
David Byers

ATTEST:

  
Auditor

THE

# Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET  
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242  
(765) 423-9154 [FAX]  
[www.tippecanoe.in.gov/apc](http://www.tippecanoe.in.gov/apc)

SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

April 17, 2014  
Ref. No.: 14-088

Tippecanoe County Commissioners  
20 N. 3<sup>rd</sup> Street  
Lafayette IN 47901

## CERTIFICATION

### **USO AMENDMENT #9:**

An amendment to the Unified Subdivision Ordinance that would allow up to two parcelizations per parent tract in the Agricultural (A) and Agricultural Wooded (AW) zones in addition to the AA zone where it is currently allowed.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 16, 2014, the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to approve the enclosed amendment to the Unified Subdivision Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed subdivision ordinance amendment be approved.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/lmu

Enclosure: Staff Report and Ordinance

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**UNIFIED SUBDIVISION ORDINANCE AMENDMENT 9**  
**Allowing Parcelizations in A, AW & AA Zones**

**STAFF REPORT**  
**April 10, 2014**

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**USO Amendment 9**  
**Allowing Parcelizations in A, AW & AA Zones**

**Staff Report**  
**April 10, 2014**

From 1979 to 2002 the parcelizing of land was allowed in 12 different zoning districts. (See below.)

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
A, AA, AW, R1	4	2 acres
R3, HB, NB, GB, I1, I2, I3, OR	2	2 acres (sewered); 5 ac. (unsewered)

In 2002, in order to put a stop to “sliders” staff tightened up several definitions; added the rural estate section to the ordinance as a substitute type of development to sliders; and severely limited parcelizations. Since 2002, they are only permitted in one zone: AA, Select Agricultural. (See current USO below.)

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
AA	2	2 acres

One of the big differences between minor subdivisions and parcelizations is the fact that minor subdivisions have to have frontage on an existing public road; parcelizations do not have to have frontage. (Parcels can either have road frontage or provide an access easement to an existing public road.) Minor subdivisions, because they are often a developer’s tool, require public hearings and higher filing fees. Generally, parcelizations are used by farming families to split off two acres to sell, or gift to a family member. It does not require public hearings and takes less time to review, so its filing fees are substantially less.

Staff agrees that parcelizations should not be allowed back in residential, commercial or industrial zones; to divide land in these development zones, major and minor subdivision remains the correct process. The changes staff made to the definition section in 2002 have put a stop to “sliders” so that is no longer a concern. Allowing parcelizations once again in the A and AW zones, would allow farm families in those zones the same rights that currently are enjoyed by farmers in the AA zone. Therefore, staff is proposing amending the USO as follows:

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
A, AA, AW	2	2 acres

**RECOMMENDATION:**  
Approval

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

**AN ORDINANCE AMENDING CHAPTER \_\_\_\_\_  
OF ORDINANCE NO. \_\_\_\_\_  
BEING THE UNIFIED SUBDIVISION 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 Subdivision Ordinance of Tippecanoe County is hereby amended as follows:

**Section 1:** Change **USO Section 3.5(3)(a) Parcelizations** by adding the A and AW zones to the following table:

Zoning Classification of Land to be Parcelized	Maximum No. of Parcels	Minimum Area of Parcels, Exclusive of Right-of-Way*
<b>A, AW, AA</b>	2	2 acres

\*Unless Tippecanoe County Ordinance 99-30CM or its successors requires more.

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