

ORDINANCE NO. 2015-10-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM

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

Section 1: Change **UZO Section 2-28-5-c** to read as follows:

Checkpoint agencies to be provided with sets of plans and other documents will have been determined at the pre-submission meeting stage. They include those agencies having jurisdiction in areas potentially affected by the petitioner's proposed **development**. The list may be drawn from the agencies listed in the Bylaws of the Area Plan Commission. For a PDCC rezoning, upon request of the petitioner, the staff will provide a list of checkpoint agencies to be provided with sets of plans and documents.

Section 2: Change **UZO Section 2-28-5-c-1 List of Checkpoint Agencies** by removing the list.

Section 3: Change **UZO Section 3-2 Permitted Use Table** by adding the following three entries:

Pedigree record services for pets and other animal specialties: SIC Group 0752, parking group 8 (1 per 200 sq. ft. of gross floor area); allowed by right in HB, CB, CBW, GB, NB, NBU and by special exception in A, AA, and AW.

Showing of pets and other animal specialties: SIC Group 0752, parking group 18 (1 per 400 sq. ft. of gross floor area); allowed by right in HB, I1, I2, I3 and by special exception in GB, A, AA, and AW.

Training of pets and other animal specialties: SIC Group 0752, parking group 18 (1 per 400 sq. ft. of gross floor area); allowed by right in GB, HB, I1, I2, and I3 and by special exception in A, AA, and AW.

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 4th day of May, 2015.

VOTE:

yes

yes

yes

Thomas Murtaugh

Thomas Murtaugh, President

David Byers

David Byers, Vice President

Tracy Brown

Tracy Brown, Member

ATTEST:

Robert Plantenga
Robert Plantenga, 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

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

April 16, 2015
Ref. No.: 15-060

Tippecanoe County Commissioners
20 N. 3rd Street
Lafayette IN 47901

CERTIFICATION

RE: UZO AMENDMENT #84:

This amendment includes changes to the PD checkpoints list and adds training and showing of pets to the UZO Permitted Use Table.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 15, 2015, the Area Plan Commission of Tippecanoe County voted 12 yes – 0 no on the motion to approve the enclosed amendment to the Unified Zoning Ordinance. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed zoning ordinance amendment be approved.

Sincerely,



Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosure: Staff Report and Ordinance

**UNIFIED ZONING ORDINANCE AMENDMENT #84
PD Checkpoints List and Animal Specialties**

**STAFF REPORT
April 9, 2015**

Unified Zoning Ordinance Amendment #84 PD CHECKPOINTS LIST and ANIMAL SPECIALTIES

Staff Report
April 9, 2015

This amendment has two main sections: first, to remove the “list of checkpoint agencies” shown in the UZO under the Planned Development section and second, to add three entries to the Permitted Use Table found under the heading, “Animal Specialties.”

PD Checkpoints List:

Checkpoints are the public agencies that developers are required to send plans to prior to applying for subdivisions, planned developments, and certain rezone requests. This is required so that staff can get feedback from the various agencies that would be affected by a proposed development. While the list of checkpoints for subdivisions and rezones does not appear in the zoning ordinance and is only in the bylaws, the list of checkpoints used in PD's does appear in the UZO. Each time this list is updated, an ordinance amendment is required in order to amend it. Removing this list from the UZO makes sense and will save staff time in the future. This part of Amendment #84 would remove the checkpoints list in the UZO and clarify that the checkpoints list can be found in the APC bylaws.

Animal Specialties:

The American Kennel Club was looking to relocate its pet training facility from its current location to Lafayette. Unfortunately, the UZO only permits pet training in the Agricultural zones since it comes under the catchall heading, “all other animal specialty services, except veterinary.” In fact, it is only permitted by special exception in the A, AW, and AA zones. Lafayette does not have any A, AW, or AA zones.

It seemed odd to staff as well as the Administrative Officers that boarding kennels and animal shelters are permitted by right in the GB and HB zones, but a pet training facility required both a special exception and a rural zoning district.

It was decided to take a closer look at all of the uses that fall under that heading (0752 in the SIC Manual) and staff found that three of those uses would be compatible in other zoning districts that are found in our cities. Those uses, and the zones staff feels comfortable locating them in, are as follows (these are in addition to the rural zones where the uses are already permitted by special exception):

“Pedigree record services for pets and other animal specialties”

This is primarily an office use and should be allowed by right where offices are allowed in HB, CB, CBW, GB, NB, and NBU zones.

“Showing of pets and other animal specialties”

Because this use could potentially generate heavy traffic and could cause parking problems, it should be allowed in HB, I1, I2 and I3 by right and in GB by special exception.

“Training of pets and other animal specialties”

In staff’s opinion, this should be allowed at least where kennels are allowed, in GB and HB zones as well as I1, I2, and I3.

This proposal was reviewed by the Administrative Officers of both Lafayette and West Lafayette which agreed to the changes and was approved by the Ordinance Committee at its March 4th meeting.

RECOMMENDATION:

Approval

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
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 2-28-5-c** to read as follows:

Checkpoint agencies to be provided with sets of plans and other documents will have been determined at the pre-submission meeting stage. They include those agencies having jurisdiction in areas potentially affected by the petitioner's proposed **development**. The list may be drawn from the agencies listed in the Bylaws of the Area Plan Commission. For a PDCC rezoning, upon request of the petitioner, the staff will provide a list of checkpoint agencies to be provided with sets of plans and documents.

Section 2: Change **UZO Section 2-28-5-c-1 List of Checkpoint Agencies** by removing the list.

Section 3: Change **UZO Section 3-2 Permitted Use Table** by adding the following three entries:

Pedigree record services for pets and other animal specialties: SIC Group 0752, parking group 8 (1 per 200 sq. ft. of gross floor area); allowed by right in HB, CB, CBW, GB, NB, NBU and by special exception in A, AA, and AW.

Showing of pets and other animal specialties: SIC Group 0752, parking group 18 (1 per 400 sq. ft. of gross floor area); allowed by right in HB, I1, I2, I3 and by special exception in GB, A, AA, and AW.

Training of pets and other animal specialties: SIC Group 0752, parking group 18 (1 per 400 sq. ft. of gross floor area); allowed by right in GB, HB, I1, I2, and I3 and by special exception in A, AA, and AW.

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