

ORDINANCE NO. 2019-05-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. Add the following definitions to **USO Section 2.2** as follows:

FARM. An area used for agricultural operations, including truck gardening, forestry, the operating of a tree or plant nursery, or the production of livestock and poultry.

FARMSTEAD. The residence (primary use building) of a farm, which must have an area of 30 acres or more. The farmstead land area may include accessory buildings and adjacent service areas of the farm. For the purposes of this definition, the original farmstead must have been built prior to November 19, 1979.

FARMSTEAD PARCELIZATION. The one parcelization lot including the farmstead of a parent tract.

ORIGINAL EXEMPTION A (OE A) TRACT. A lot greater than or equal to 10 acres and less than 20 acres in size, eligible as a primary use building site that was created by Exemption A (from the definition of Subdivision) after the enactment date of this ordinance (November 19, 1979) and prior to June 1, 2018. For the purposes of this definition, a lot is "created" on the date of its recording or of the surrounding properties' recording.

ORIGINAL EXEMPTION A (OE A) TRACT PARCELIZATION. The two lot parcelization permitted per OE A Tract.

PARCELIZATION TYPES. Farmstead Parcelization, OE A Tract Parcelization and Standard Parcelization.

STANDARD PARCELIZATION. The four lot parcelization permitted per parent tract.

Section 2. Replace the second paragraph in **USO Section 3.1(2)** with the following:

However the further division of a parent tract from which four (4) minor subdivision lots or four (4) standard parcels (or a combination of both) eligible as primary use building sites have already been created, shall be classified as a major subdivision, unless this further division is classified as a Rural Estate Subdivision, or exempt by Original Exemption A Tract Parcelization or Farmstead Parcelization, or complies with Exemption A or C in the definition of Subdivision. For purposes of this paragraph, a lot is "created" on the date of its recording.

Section 3. Replace the table in **USO Section 3.5(3)(a)** with the following:

Parcelization Type	Maximum Number of Lots permitted	Minimum Lot Area (Exclusive of R-O-W)
Farmstead	1 per parent tract	2 acres
OE A Tract	2 per OE A Tract	2 acres
Standard	4 per parent tract	2 acres

Parcelization land divisions are only permitted in the Agricultural (A), Select Agricultural (AA) and Agricultural Wooded (AW) zones.

Section 4. Change **USO Section 3.5(3)(b)** as follows:

(b) Parcels Abutting a Public Road.

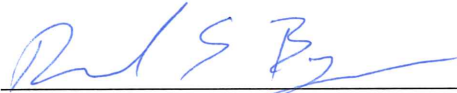
For parcels that abut a public road, the minimum parcel width shall be 200 feet. Parcel width shall be measured along the right-of-way line of the public road. For parcels abutting more than one public road, parcel width standards need only apply to one public road abutted. For parcels abutting a public road that cannot derive access from that road, an easement for vehicular access and utility placement, connecting all such parcels to a public road, shall be provided at the time of parcelization. Where a physical impediment or the shape of the parent tract prevents a proposed parcel from meeting the minimum 200-ft of frontage standard, the Executive Director may waive this requirement; however, the parcel width may never be less than the minimum lot width required by the Unified Zoning Ordinance for that particular zone.

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 February, 2019.

VOTE:

Yes



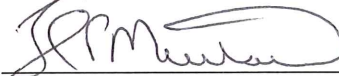
David S. Byers, President

Yes



Tracy A. Brown, Vice President

Yes



Thomas P. Murtaugh

ATTEST:



Robert Plantenga, Auditor

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

January 17, 2019
Ref. No.: 2019-010

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

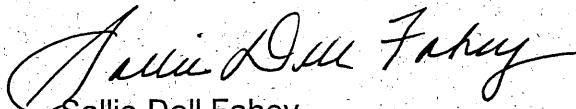
CERTIFICATION

RE: **USO AMENDMENT #11**

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 16, 2019, the Area Plan Commission of Tippecanoe County voted 13 yes - 2 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/ki

Enclosure: Staff Report and Ordinance