



Area Plan Commission of Tippecanoe County, Indiana

March 17, 2022
Ref. No.: 2022-048

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

CERTIFICATION

RE: UZO AMENDMENT #103:

This amendment would change the sections on “home occupations” to include the currently prohibited state-licensed medical professionals (UZO Sections 5-5-3 and 5-5-4).

Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 16, 2022, the Area Plan Commission of Tippecanoe County voted 10 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 County Commissioners that the proposed zoning ordinance amendment be approved. The County Commissioners meeting will be held Monday, April 4, 2022.

Sincerely,

David Hittle
Executive Director

DH/jae

Enclosure: Staff Report and Ordinance

ORDINANCE NO. 2022-02-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 5-5-3 PERMITTED HOME OCCUPATIONS** by adding the following:

(15) An office of a state-licensed medical professional with no more than one treatment room.

Section 2: Change **UZO Section 5-5-4 PROHIBITED HOME OCCUPATIONS** by eliminating the following and renumbering the rest of the list in this section:

- (e) Physician, dentist, optometrist, podiatrist, chiropractor, naturopathic doctor, hypnotherapist, acupuncturist, or any medical or dental clinic, office, or hospital;

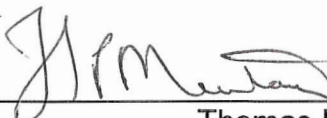
(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this 21st day of March, 2022.

VOTE:

yes

yes

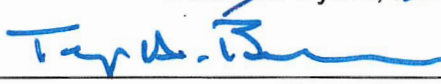
yes



Thomas P. Murtaugh, President Member



David S. Byers, Vice President



Tracy Brown, Member VP

ATTEST:



Robert Plantenga, Auditor

Jennifer Wafford, Deputy Auditor

**Unified Zoning Ordinance Amendment #103
ALLOWING MEDICAL PROFESSIONAL HOME OCCUPATIONS**

**Staff Report
March 10, 2022**

Currently, our ordinance allows many types of small businesses as “home occupations.” As long as these businesses located in a residence meet UZO standards, and are not listed under “prohibited home occupations,” they are allowed by right. There is no special exception or rezone required; they are permitted wherever a residence is permitted.

One of the prohibited home occupations listed is:

“(e) physician, dentist, optometrist, chiropractor, naturopathic doctor, hypnotherapist, acupuncturist, or any medical or dental clinic, office or hospital.”

Staff has from time to time fielded questions from medical-related people, particularly licensed massage therapists, interested in running a home occupation. Because of the longstanding prohibition, they are told the ordinance does not allow this type of home occupation.

This prohibition was discussed at the August 2021 Administrative Officer’s meeting and it was agreed that as long as the person was licensed by the state, it would not effect a neighborhood any more than a one-chair beauty shop or someone teaching piano would. A clinic, which would house more than one medical professional, would still be prohibited as a home occupation.

This proposed change to the ordinance was discussed at the December 2021 Ordinance Committee meeting and again at the January 2022 meeting. The Committee requested a list of “medical professionals” that require a state license that this amendment would now allow to be in a residence. That list includes the following medical professions:

- Acupuncture
- Anesthesiologist Assistant
- Athletic Trainers
- Behavioral Health & Human Services
- Chiropractors
- Dentistry
- Diabetes Educators
- Dietitians
- Genetic Counselors
- Massage Therapy

Medical (Physicians & Osteopathic Physicians)
Midwifery
Nursing
Occupational Therapy
Optometry
Physical Therapy
Physician Assistant
Podiatric Medicine
Psychology
Respiratory Care
Speech Language Pathology and Audiology
Telehealth

The UZO currently prohibits “any medical or dental clinic, office or hospital” as a home occupation. This amendment would change that by eliminating the prohibition, and adding the following to the list of permitted home occupations: “An office of a state-licensed medical professional with no more than one treatment room.” If a profession is not listed above, it would not meet that qualification. Staff realizes a number of the professions listed above would be unlikely to locate in the practitioner’s home, but that is a moot point.

This amendment was approved by the Ordinance Committee at its March meeting. (The section regarding self-storage warehouse businesses has been tabled and will be discussed at the April Ordinance Committee meeting.)

STAFF RECOMMENDATION:

Approval

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTERS 3 & 5
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 5-5-3 PERMITTED HOME OCCUPATIONS** by adding the following:

(15) An office of a state-licensed medical professional with no more than one treatment room.

Section 2: Change **UZO Section 5-5-4 PROHIBITED HOME OCCUPATIONS** by eliminating the following and renumbering the rest of the list in this section:

- (e) Physician, dentist, optometrist, podiatrist, chiropractor, naturopathic doctor, hypnotherapist, acupuncturist, or any medical or dental clinic, office, or hospital;

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

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The primary data was gathered through direct observation and interviews with key stakeholders. Secondary data was obtained from existing reports and databases.

The third section details the statistical analysis performed on the collected data. This involves the use of descriptive statistics to summarize the data and inferential statistics to test hypotheses. The results of these analyses are presented in a clear and concise manner, highlighting the key findings of the study.

Finally, the document concludes with a series of recommendations based on the research findings. These recommendations are designed to help improve the efficiency and effectiveness of the processes being studied. The author also notes the limitations of the study and suggests areas for future research.