

The
AREA PLAN COMMISSION
of Tippecanoe County

APC Ordinance Committee Meeting

Date: June 2, 2021

Time: 4:35 PM

Location: Tippecanoe County Office Building

Tippecanoe Room

20 North Third Street

Lafayette, IN

This will be an in-person meeting. Members of the public may watch the livestream of the meeting on Facebook or YouTube. Links can be found on the county website at www.tippecanoe.in.gov/apc

AGENDA

I. APPROVAL OF MINUTES FROM THE APRIL 7TH, 2021 MEETING

Documents:

[ORD 04.07.2021.PDF](#)

II. HIGHLAND PARK NEIGHBORHOOD FORM BASED OVERLAY:

Discussion on a new form based overlay for the historic Highland Park Neighborhood - Ryan O'Gara

Documents:

[HIGHLAND PARK DRAFT AMENDMENT AND REPORT.PDF](#)

III. CITIZEN COMMENTS:

IV. ADJOURNMENT:

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
ORDINANCE COMMITTEE
MINUTES OF A PUBLIC HEARING**

DATE..... April 7, 2021
TIME..... 4:50 P.M.
PLACE.....COUNTY OFFICE BUILDING
20 N. 3RD STREET
LAFAYETTE, IN 47901

This meeting was held virtually. Members of the public could watch the livestream of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/channel/UCJleeA9ZQo9E11GdZTdjurQ/featured>

MEMBERS PRESENT

Vicki Pearl
Jerry Reynolds
Greg Jones
Kathy Parker
Larry Leverenz
Gary Schroeder
Tom Murtaugh
Jackson Bogan

MEMBERS ABSENT

STAFF PRESENT

David Hittle
Ryan O’Gara
Kathy Lind
Chyna Lynch
Eric Burns, Atty.

Larry Leverenz called the meeting to order at 4:50 PM.

I. APPROVAL OF MINUTES

Gary Schroeder moved to approve the minutes from the March 3, 2021 meeting. Greg Jones seconded and the minutes, as submitted, were approved by unanimous voice vote.

Mr. Leverenz noted that there were two proposed amendments which were initially considered at the February meeting, and were coming back for further review.

II. PROPOSED ZONING ORDINANCE AMENDMENTS

A. Electrical Contractor’s Building Size Limitation

Kathy Lind stated that the zoning ordinance currently requires a construction contractor building to have a minimum lot size of five acres and a maximum gross floor area of 5,000 square feet. Those requirements are expressed by a footnote associated with the zoning ordinance’s use table.

We propose to remove that maximum gross building area standard from the use table and to institute a new standard requiring a maximum of 8,000 square feet. And we propose to insert this amended standard in a part of the ordinance where a variance could potentially be requested.

Gary Schroeder lauded the proposed change.

Gary Schroeder moved to send to the Area Plan Commission a positive recommendation to adopt the proposed amendment as submitted. Greg Jones seconded, and the motion was approved by unanimous voice vote.

B. Using Shipping Containers as on-site Storage Buildings

Kathy Lind said the county Administrative Officer requested this discussion because questions about the use of shipping containers for storage have arisen recently with some frequency. She noted, though, that this conversation will not pertain in any way to the use of shipping containers as dwellings.

Ms. Lind noted that the proposed language would allow for a maximum of two shipping containers used for storage on property used agriculturally. Additionally, no more than one shipping container may be used for storage in conjunction with a residence, but only on a lot at least two acres in area. She also noted that the proposed language would not allow for the stacking of shipping containers, and would place a 30-day limit on the containers frequently used in conjunction with a residential move.

Jackson Bogan noted that he thought the 30-day limitation is too short. Vicki Pearl agreed, as did Jerry Reynolds. Discussion ensued. All parties came to agree that a 90-day limit would be more suitable, understanding that the Administrative Officer (AO) should also have discretion to administratively extend the time period.

Gary Schroeder noted that he spoke with some farmers to get additional opinions, and learned that there may be some desire for more than two shipping containers for storage. Ms. Pearl noted that farmers in her area had more than two, and tended to keep them in a manner that did not create a nuisance or an eyesore.

Ms. Pearl asked about the shipping containers that are already in place... would they be grandfathered? Kathy Lind replied that they would be grandfathered.

Gary Schroeder moved to change the language to allow for up to four shipping containers, rather than two. Greg Jones seconded, and the motion was unanimously approved by voice vote.

The group then discussed whether there was a need to define "shipping container" and agreed, via voice vote, to use the definition Kathy Lind drafted.

Gary Schroeder moved to send the proposed zoning ordinance amendment, as further amended during discussion at this meeting, to the full Area Plan Commission for consideration. Greg Jones seconded, and the motion carried unanimously by voice vote.

III. CITIZEN COMMENTS

Larry Leverenz said there will be a 30-second pause for citizen comments. There were none.

IV. ADJOURNMENT

Gary Schroeder moved to adjourn.

The meeting adjourned at 5:40 p.m.

Respectfully Submitted,

David Hittle
Executive Director

MEMORANDUM

TO: APC Ordinance Committee
FROM: Ryan O'Gara, AICP
SUBJECT: Highland Park Neighborhood Form Based Overlay
DATE: May 27, 2021

Begun in early 2018, the residents of the historic Highland Park Neighborhood began to study ways to better preserve the look, feel, and quality of life in their neighborhood. Their efforts resulted in a request to city council in 2019 to authorize the APC staff to assist in their efforts and explore any zoning amendments that might further their goals.

After numerous neighborhood gatherings, a draft of a form based overlay was developed by staff that addressed the development concerns of the neighborhood. Unlike previous overlays developed by staff, the Highland Park Form Based Overlay is very limited in scope (per the desires of the neighborhood) to address just a few important items to the residents for new home construction, such as placement of detached garages, roof pitch, and standards for front porches.

These limited development constraints are designed to ensure any new home construction will harmonize with the numerous historic homes and not detract from the character of the neighborhood. Further information can be found here:

<https://highlandparklafayette.com/overlay/>

This ordinance amendment proves the form based overlay process established in Chapter 7 is incredibly customizable to address specific development needs for specific areas of the community.

STAFF RECOMMENDATION:

Approval and send to full commission

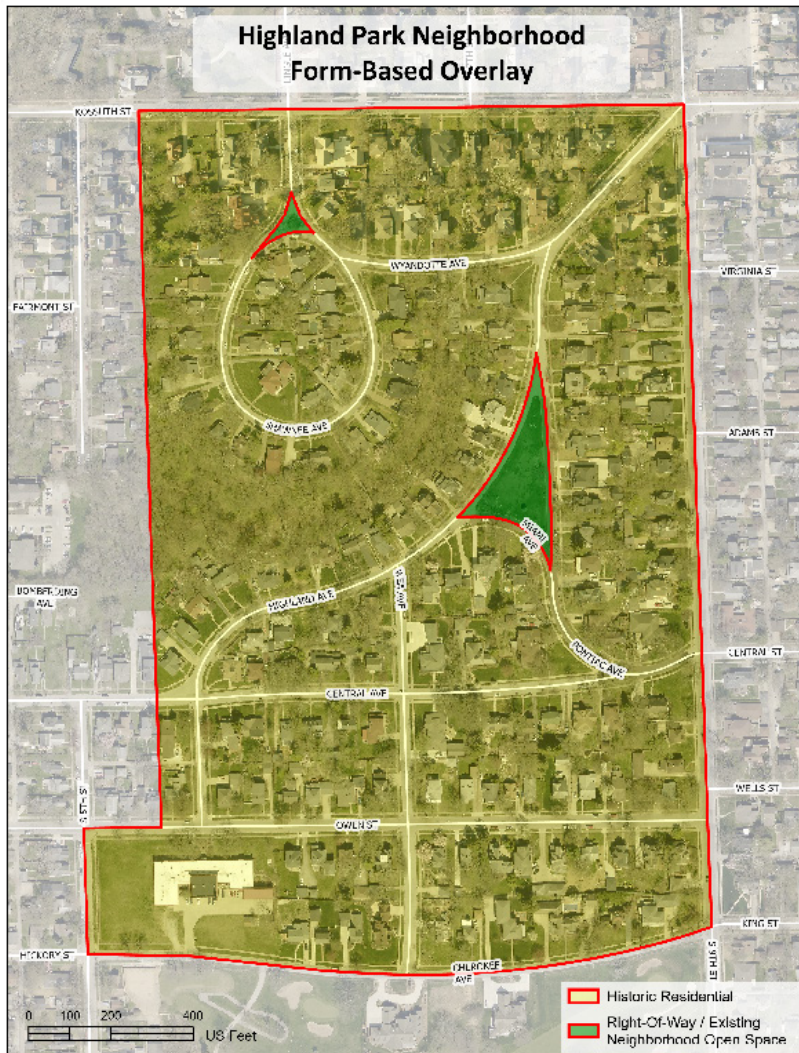
7-4 HIGHLAND PARK NEIGHBORHOOD *FORM-BASED OVERLAY*

7-4-1 PURPOSE AND INTENT

- (a) The purpose of the Highland Park Neighborhood ***Form-Based Overlay*** is to ensure that future redevelopment in the neighborhood is of a character in keeping with the historic nature of the neighborhood. Redevelopment within the overlay shall comply with the following standards and the provisions of this Ordinance.
- (b) The intent of the Highland Park Neighborhood ***Form-Based Overlay*** is to protect the historic nature of the neighborhood through specific land use and development requirements.

7-4-2 DISTRICT BOUNDARY AND DEVELOPMENT SECTORS

- (a) The Highland Park Neighborhood ***Form-Based Overlay***, shall be as shown on the following map and contains two ***Development Sectors***: “Historic Residential” and “Right-Of-Way / Existing Neighborhood Open Space”.



7-4-3 USES IN THE HIGHLAND PARK NEIGHBORHOOD

- (a) Unless otherwise prohibited or specified in this section, all permitted and special **uses** within the overlay shall conform to properties' underlying **zones** as delineated in the Permitted Use Table per Chapter 3 of the UZO.
- (b) Areas within the overlay designated as "Right-Of-Way / Existing Neighborhood Open Space" fall under the UZO definition of **Right-Of-Way** and are bound to the requirements of that definition and of all applicable state and local regulations governing and limiting its use.

7-4-4 REQUIREMENTS FOR NEW SINGLE-FAMILY DETACHED DWELLINGS

Within the Historic Residential sector, all new single-family detached **dwellings** built after the adoption of this ordinance shall be subject to the development standards consistent with their underlying **zone** except for those development standards specifically controlled by this section. A final determination of compliance with these items shall be made by the **APC** staff in consultation with the **Administrative Officer**, in its review for zoning compliance approval.

(a) Site Layout:

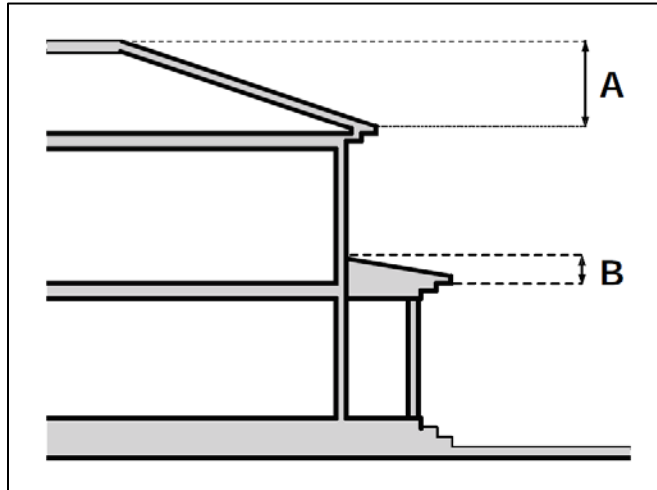
- (1) Per UZO Section 4-4-1, average **setbacks** along **street frontages** shall be permitted for qualifying, **form-based overlay** projects based on the qualifying criteria in that section unless a reduced standard is found in this section.

(b) Permitted Materials & Style Requirements:

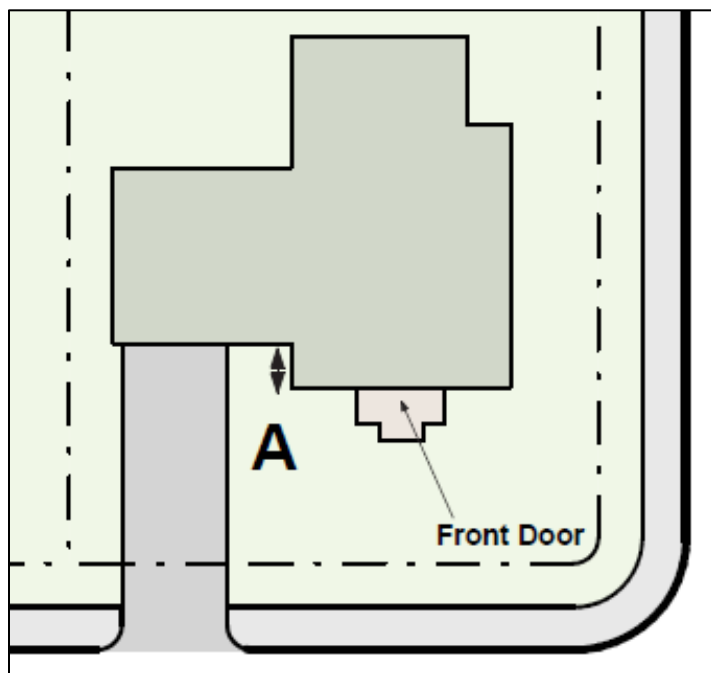
- (1) Below are the materials and style requirements for the Highland Park Neighborhood **Form-Based Overlay**. These requirements apply only to single-family detached homes that are to be newly constructed and their detached garages (if any). Prohibited Exterior Finishing Materials include:

- Corrugated Fiberglass
- Exterior Insulation and Finish System (EFIS)
- Mirrored Glass
- Styrofoam (exposed as final finish)
- Tyvek or equivalent wrap (exposed as final finish)
- Unfinished Concrete Block

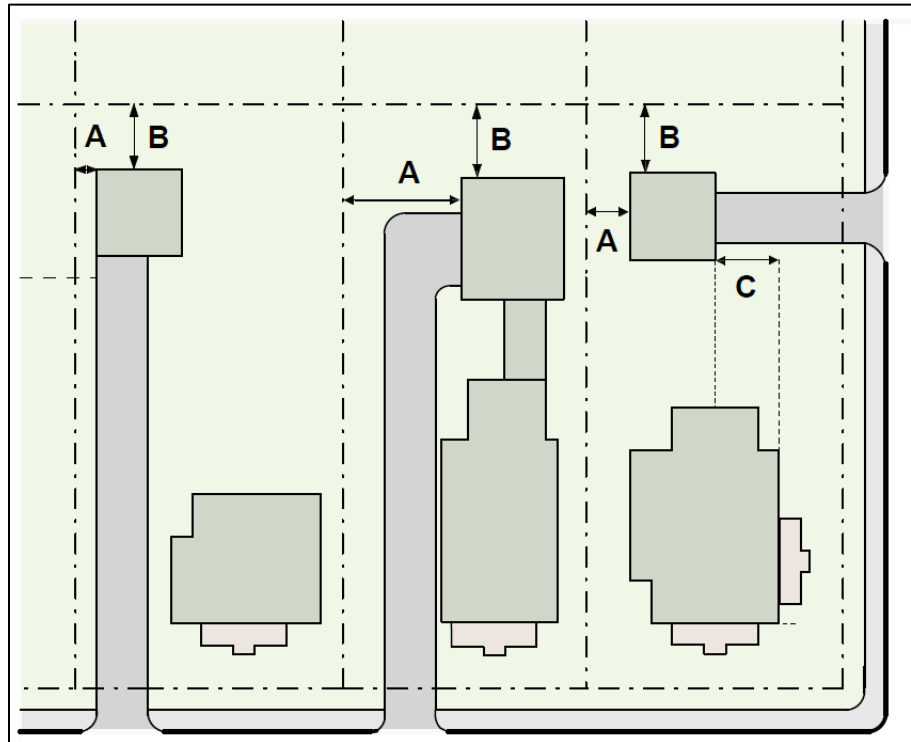
- (c) Architecture, Design & Integrity for single-family detached **dwelling**s:
- (1) Minimum ground floor elevation: 2.5-feet above grade.
 - (2) Main Roof Structure Pitch Range (Illustrated as “A” below): The roof pitch shall be at a ratio of 6:12 or steeper (flat-roof **dwelling**s excluded).
 - i. Exception: Ancillary Roof Structures (Illustrated as “B” below), (Front and Rear roofed-porches for example) can have roof pitches less than 6:12.



- (d) Garages
- (1) Front-loaded, attached garages must be recessed at least 5-feet minimum behind the façade the front door of the **dwelling** is located, as illustrated as “A” below.



- (2) Front-loaded, detached garages: Shall be located behind the primary structure in the rear yard and setback a minimum of 1-foot from side/rear lot lines (illustrated as “A” and “B” respectively).
- (3) Corner-lot detached garages shall be located behind the street-facing façade of the dwelling a minimum of 5-feet (illustrated as “C” below).
- (4) Corner lot garages may load from any **street frontage**.
- (5) Where meeting the standards for detached garages is not possible due to the configuration of the lot, topography, setbacks, or other development constraints, the **Administrative Officer** may consider alternatives for detached garages that do not comply with the requirements of this section.



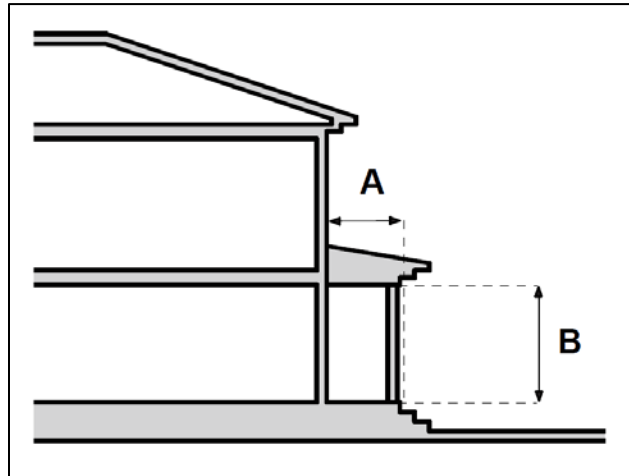
7-4-5 OPTIONAL REQUIREMENTS FOR NEW SINGLE-FAMILY DETACHED DWELLINGS

Within the Historic Residential sector, all new single-family detached **dwelling**s built after the adoption of this ordinance shall be subject to the following optional development standards should these elements be incorporated into the final design of the house. A final determination of compliance with these items shall be made by the **APC** staff in consultation with the **Administrative Officer**, in its review for zoning compliance approval.

- (a) Four-Sided Architecture: As determined by the **Administrative Officer**, a finished elevation in terms of quality and distribution of materials on a façade is required on every side of a single-family **dwelling**. Each side shall be architecturally similar to the other sides in terms of the final finish.

(b) Roofed Front Porches: If a new single family detached **dwelling** means to incorporate a roofed front porch with the **dwelling's** primary entrance located along a street frontage, the following requirements shall apply. Roofed front porches that are designed with standards less than one or more of the following requirements shall be considered roofed front stoops and are not regulated by this section. Unroofed porches and stoops are also not regulated by this section.

- (1) Roofed front porches shall maintain a 5-foot minimum depth from the **dwelling's** façade (illustrated below as "A")
- (2) Roofed front porches shall maintain height of 8-foot minimum from the porch floor to porch ceiling (illustrated below as "B").
- (3) Roofed front porch floor height above grade: No higher than the elevation of the ground floor of the **dwelling**.



- (4) Roofed front porches shall maintain a minimum width of at least 25% of the width of the **dwelling's** façade they are located on (illustrated as "A" below).

