

MEMORANDUM

TO: APC Ordinance Committee
FROM: Kathy Lind, Senior Planner
SUBJECT: Self-storage; Isaiah House; Billboards
DATE: March 31, 2022

Self-storage Warehouse Businesses:

This proposed amendment was originally discussed in December. Revised in January, this revision was passed by Ordinance Committee on January 5th, then re-discussed at the March meeting.

The amendment as the Ordinance Committee approved it states:

Section 1: Change **UZO Section 3-2 PERMITTED USE TABLE** by adding the following footnote to SIC 4225 “Self-storage warehouse business”:

72. Proposed self-storage warehouse businesses located in a zone where they are permitted by right, but on property within an urbanized, sewerred area as shown in Appendix A, shall be required to obtain a special exception.

The Ordinance Committee wants to amend this amendment by including a stipulation to the beginning of the phrase that states, “Except for those businesses that have already received an Improvement Location Permit at the time of the adoption of this amendment,” proposed self-storage warehouse businesses located in a zone where they are permitted by right, but on property within an urbanized, sewerred area as shown in Appendix A, shall be required to obtain a special exception.

Staff has found this would affect only two existing self-storage businesses: Life Storage which is the one in the old Coke bottling plant and A-2 Closet Storage located at 2121 N. 15th Street in Lafayette. Staff has argued that this amendment is unnecessary since both uses would be grandfathered and would become legally nonconforming uses. However, staff feels the above addition would satisfy the Ordinance Committee’s concerns.

Isaiah House Amendment:

At the request of one of our Ordinance Committee members, this amendment would fix the need for an NB rezone in a residential area for a fairly innocuous use. Staff suggests the following new definition:

HAVEN HOME. A social service facility assisting children awaiting foster care placement.

This defined term would be inserted under “SIC 839 Social Services, not elsewhere classified” in the Use Table, and permitted by special exception in all residential zones. (“Group Homes” as defined, which could be argued is a more intense use, is also allowed by special exception in all residential zones.)

Billboards:

Staff has long believed that our UZO kept animated billboards from locating in Tippecanoe County and our cities. Because our definition of “animated signs” stipulates that the message can change no more often than once per minute, billboard companies were not eager to locate this type of sign here. (These signs typically change their message every 8-12 seconds.)

Recently, the County Building Commissioner approved an Improvement Location Permit for an animated, or electronic billboard on Sagamore Parkway. The applicant, Burkhart Advertising, Inc., was told about this timing restriction; whether the company will comply or not remains to be seen. Enforcement is largely complaint driven.

Now a second animated billboard, which would replace an existing billboard on I-65, is the subject of a variance on the Lafayette BZA agenda. The petitioner is asking to vary the size (over 600 square feet) and to allow the message to change every 8 seconds instead of every 60 seconds (Case #2022-12 TMC Marketing, LLC). Basically, a loophole in our UZO has been found and staff would like to see this closed before more billboard companies take advantage of this loophole.

Staff proposes the following:

- Eliminate UZO Section 4-8-10(h) from the ordinance. This is the section the above petitioner is requesting to vary and since it is in Chapter 4, it can be varied. And...
- Change the definition of **OUTDOOR ADVERTISING SIGN** in Chapter 1 (which cannot be varied) by adding, “Outdoor advertising signs shall not be **ANIMATED SIGNS** whose messages change more often than once per minute per the UZO definition.”