

ORDINANCE NO. 2013-16-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: Add **UZO Section 5-8 COMMITMENTS**, which states the following:

Any commitment which is allowed by the Commission and adopted by the legislative body in connection with a change to the Official Zoning Map shall be duly recorded in the office of the Recorder of Tippecanoe County, Indiana, within thirty (30) days after the adoption of such change to the Official Zoning Map by the legislative body.

Section 2: Add the new Section (h) to existing **UZO Section 6-2-4 ADDITIONAL PROVISIONS**, which states the following:

An **Administrative Officer** shall not issue an **improvement location permit** until all commitments applicable to the property have been duly recorded in the office of the Recorder of Tippecanoe County, Indiana.

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 1st day of April, 2013.

VOTE:

yes

yes

yes

[Signature]
President

[Signature]
Vice President

[Signature]
Member

ATTEST:

[Signature]
Jennifer Weston, 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

March 21, 2013
Ref. No.: 13-055

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

CERTIFICATION

RE: UZO AMENDMENT #75--ZONING COMMITMENTS:

An amendment to the Unified Zoning Ordinance that adds sections regarding zoning commitments to UZO Chapter 5: Supplementary Regulations and UZO Section 6-2-4: Additional Provisions

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 20, 2013, 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 #75
Zoning Commitments

STAFF REPORT
March 14, 2013

Unified Zoning Ordinance Amendment #75 Zoning Commitments

Staff Report
March 14, 2013

The Indiana Statute was amended not long ago to allow commitments in rezoning cases. Last year, a couple of commitments were submitted with their rezone requests and at least two of them have been approved and recorded. At the October 2012 APC meeting, a resolution was passed directing the Ordinance Committee and the Bylaw Committee to develop rules regarding rezoning commitments. The resolution also stated that until these rules were in place, there would be a moratorium on future zoning commitments.

Beginning in November 2012 and ending in February 2013, the Ordinance Committee and the Bylaw Committee met jointly to discuss commitments attached to rezone requests: do our jurisdictions want them? If so, under what circumstances? And what would be the procedure for filing them?

At the joint meetings, the Ordinance Committee and the Bylaw Committee agreed to a bylaw amendment (also on the March APC agenda) and the attached amendment to the Unified Zoning Ordinance (UZO). Most of the changes agreed to at the joint meeting regarding zoning commitments involve additions to the APC bylaws. The only changes to the UZO have to do with recording the signed zoning commitment within 30 days of its adoption by the legislative body.

This proposed UZO amendment has the support of the A.O.'s, as well as the Ordinance Committee and the Bylaw Committee.

STAFF RECOMMENDATION:

Approval

ORDINANCE NO. 2013-16-CM

**AN ORDINANCE AMENDING CHAPTER 3
OF ORDINANCE NO. 97-51-CM
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: Add **UZO Section 5-8 ZONING COMMITMENTS**, which states the following:

Any commitment which is allowed by the Commission and adopted by the legislative body in connection with a change to the Official Zoning Map shall be duly recorded in the office of the Recorder of Tippecanoe County, Indiana, within thirty (30) days after the adoption of such change to the Official Zoning Map by the legislative body.

Section 2: Add the new Section (h) to existing **UZO Section 6-2-4 ADDITIONAL PROVISIONS**, which states the following:

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