ORDINANCE NO. 2007-01-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 3-2 Permitted Use Table** to add a new category of land use as follows:

SIC 3273 Ready-mixed concrete: permit in I3; and by special exception in A, AW, and AA, with special conditions 4-10 and parking group 12/c. Also with a footnote that reads: "Only permitted by special exception in A, AA, and AW when in conjunction with an approved mining operation on the same site and subject to the same fencing, setbacks, bufferyard and reclamation requirements as the mining operation."

Section 2: Change **UZO Section 1-10-2 Words and Terms Defined** by modifying the definition of Bed and Breakfast to read as follows:

BED AND BREAKFAST. A ***primary use*** consisting of an operator-occupied ***single-family dwelling*** within which (or an operator-occupied ***farm*** on which) limited transient accommodations of up to 7 guest rooms may be provided for rent, subject to the restrictions of 4-11-6 below.

Section 3: Change UZO Section 4-11-6 (a through d)*BED AND BREAKFAST* as follows:

4-11-6 *BED AND BREAKFASTS*:

(a) A ***bed and breakfast*** is a form of transient guest accommodation either within a ***single-family dwelling*** or on a ***farm***. The ***residence*** or the ***farm*** shall be operator-occupied if located in either a ***residential*** or ***rural zone***.

(b) Up to 7 rooms may be rented to guests, whether they be in the ***residence***, or somewhere on the ***farm***. If on a ***farm***, these rooms shall be in a ***structure*** that qualifies for residential occupancy.

(c) Because a ***bed and breakfast*** is not a rooming house or ***multi-family dwelling***, guests occupying rented rooms shall stay at a ***bed and breakfast*** for no more than 14 consecutive days.

(d) Because a ***bed and breakfast*** is not a restaurant, food service (other than that associated with the ***residence***) is limited to breakfast, which shall only be provided for guests occupying rented rooms; and one additional accessory type of food service (either lunch, brunch, or tea) prepared on-site and offered to the public, with seating for no more than 30, one day a week plus one week-end day between the hours of

11:00 AM and 4:00 PM only. Food service is subject to the regulations of the Tippecanoe County Health Department, and to Indiana State Department of Health *Rule 410 IAC 7-15.5* or its successor. ***Bed and breakfasts*** with accessory food service may also be subject to Indiana State Department of Health *Title 410 IAC 7-24*, or its successor, at the County Health Department's discretion. Also, there shall be no cooking facilities provided within guest rooms.

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 2nd day of January, 2007.

VOTE:

Yes — John Knochel, President

Yes — Ruth Shedd, Vice President

Yes — KD Benson, Member

ATTEST:

~~Robert A. Plantenga~~, Auditor
Jennifer Weston